

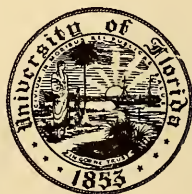
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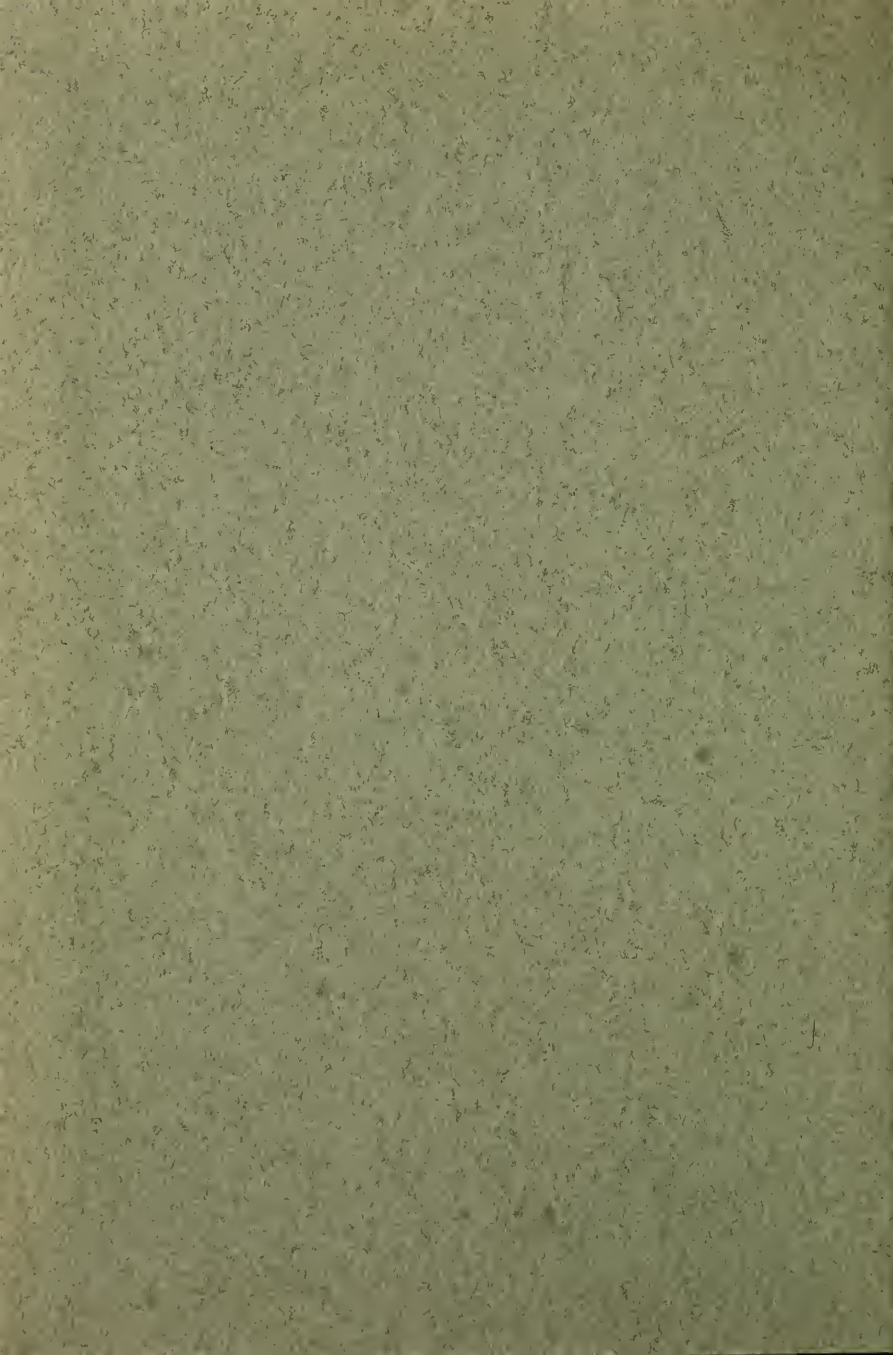
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**BRIDES FROM
BRIDEWELL**





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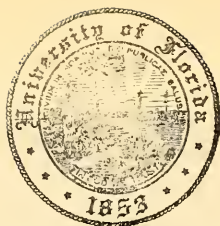
FRONTISPIECE: *Filles de joie* and prison women in a tumbril, guarded by soldiers. Sentenced to transport to French Louisiana about 1720. (By Etienne Jeaurat.)

**BRIDES FROM
BRIDEWELL**

**FEMALE FELONS SENT
TO COLONIAL AMERICA**

By
WALTER HART BLUMENTHAL

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PREFACE

THE HARSH penal laws of Old England in the colonial American era consigned many thousands of malefactors to overseas transportation under harrowing conditions. Many men and women whose offenses were minor were so deported. Others were confirmed criminals. The circumstances have never been adequately narrated. The facts constitute one of the neglected (or hidden) retrospects to the American past. Descent from *Mayflower* lineage is stressed by genealogists; but the fact is forgotten that many unknowing present-day Americans of colonial antecedents derive their New World beginnings from the consignments sent in duress. Many of the transported felons after their servitude had expired, became reputable dwellers in the new environment; and if not they, then their offspring. No stigma attaches to their descendants. But the tale needs telling. Doctor Samuel Johnson indulged in an unwarranted slur when he said in 1769 to James Boswell concerning the 18th century Americans: "They are a race of convicts and ought to be thankful for anything we allow them short of hanging." The colonial brides, including these female felons, who mothered America, were in their day and in their way not only humble, but heroic.

W. H. B.



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IT IS ESSENTIAL to realize concerning the sending of convicts to the American colonies that life among the underprivileged in Great Britain was wretched and penal conditions benighted. For a long period such transport was a legitimate *trade*, sponsored by the official Lords of Trade and Plantations in London. This business of conveying hardened criminals and hapless felons and selling them into servitude for a term of years has seldom received more than casual mention, so that the proportion of such deportees among indentured servants during the colonial span has remained an obscure matter, as also the number of women among such prison ventings.

Authenticated facts are here presented. They range from the earliest documentary annals, culminating in the Act of Parliament in 1718, when the transport of convicts became a routine pursuit, down to prohibition by the new Republic in 1788 of any further such consignments. To Maryland and Virginia, and in lesser numbers elsewhere on the seaboard (and to the West Indies), in the latter half of the 17th century and throughout most of the 18th, adults and adolescents under prison blight were conveyed by contractors in a foul and systematic traffic. This occurred with cognizance of the British

authorities (as revealed in entries of the Treasury Papers, other Public Office archives, and in official and semi-official correspondence).

Facts to the contrary notwithstanding, too many Virginia annalists have been persistent adherents of the untainted Old Dominion (or *'taint so* school) in declaring negligible the felon element sent to that colony, and in avowing that the jailbirds were consigned to less impeccable Carolina or Maryland. These circumspect scribes go on blandly writing their regional evocations to suit the image conjured, in spite of data. Since large-canvas American historians, taking the whole sweep of the country for their theme, seldom delved into the minutiae of Virginia's past, her prideful portrayers, prone to gloss over the blemishes, have had it all their own way.

This *tendenz* approach persists. Witness a purblind article in the *Virginia Magazine of History* (1944): Consider the tendentious effrontery of "if any at all" in the statement that until the Cromwell period (1653-58) "the number of jailbirds transported to Virginia, if any at all, was so small as to be negligible...only an infinitesimally small number of persons released from English gaols ever found a permanent home in colonial Virginia."¹

But this must have galled one brave spirit to retort, for in a subsequent issue of the same publication we read concerning the foregoing article this forthright admission:

"That convicts sent to colonial Virginia were not only political prisoners and debtors, but also criminals of the worst kind is a fact that Virginians delude themselves into denying." The records show convicts sent to Virginia "in unpleasantly large numbers even down to 1783—after the Revolution."

This rejoinder came from a woman, who wielded her pen to good purpose. With truthful temerity she concluded:

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"What became of all these unhappy souls—these First Felons of Virginia—who resided in the colony with our ancestors remains a mystery to this writer. It goes without saying that no one ever heard of a Virginian who descended from one of them. Furthermore it is realized that compiling the records of convicts in our colony and State does not endear the compiler to fellow Virginians, but 'truth is mighty and will prevail.'"² Of Virginia more anon—much more. But first, Maryland. Herewith we begin our research.

An account of the "Number of Souls in the Province of Maryland in 1755," appearing in the *Gentleman's Magazine* for 1764, gave 1,507 male convicts, 386 women convicts, 67 boy and 21 girl convicts, or a total of 1,981, still serving their term, of which about 26 per cent were female. Presumably the same proportion pertained to the larger element whose servitude had expired. Eliminating 30 per cent of the total population listed as Negro slaves, and about half of the remainder as under 16 years of age, the adult convicts comprised about 6.3 per cent of the adult whites. Here is the tabulation:

CENSUS OF WHITE POPULATION OF MARYLAND, 1755:³

		<i>Males</i>	<i>Females</i>
Free Whites	Adults	24,058	23,521
	Minors	26,637	24,141
Servants	Adults	3,576	1,824
	Minors	1,049	422
Convicts	Adults	1,507	386
	Minors	67	21
Total	Adults	29,141	25,731
	Minors	27,753	24,584

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This census thus shows 386 adult female convicts and 1,824 adult indentured females then serving their terms—an approximately one to five proportion. Based on this ratio, and on the well fortified presumption that at least one-half (11,760) of the adult *free* females were formerly indentured or convicts, 1,960 female ex-convicts may be inferred. These, in addition to the 386 whose term had not expired, would indicate more than 10 per cent female population as then of felon antecedents.

In this Maryland census of 1755 almost one-fourth of the 8,851 then indentured whites were thus in the class of transported convicts. But this did not include the much larger number of both sexes who had served their term, nor reckon the mortality at sea, nor those who had succumbed to 'seasoning sickness' in the months after arrival. In the British House of Commons *Journal* for 1780 we have the testimony of Duncan Campbell, a contractor who *for twenty years* transported felons, of whom, he says, more than a seventh died on the voyage.⁴ He observed that the women who died at sea were only half in proportion to the men, which he ascribed to their vigor being less impaired by chronic ailments or by alcoholism.

In the *Maryland Gazette* (July 30, 1767), a writer sought to show that the convict element was not to be disparaged, but was rather a needed addition to the Province. Of importance is his comment: "I suppose that for these last thirty years there have been at least 600 convicts per year imported into this Province, and these have probably gone into 400 families." This attempt to justify the convict traffic elicited two spirited replies in the columns of *Green's Gazette* (August 20, 1767). One of these asked: "Is this the way to purge ourselves from that false and bitter reproach, so commonly thrown upon us, that we are the descendants of convicts?"

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Felons were called 'Seven Years' Passengers' in the vernacular, and advertisements appeared in the colonial press such as the following, culled from the *Maryland Gazette* of the 1750's and 1760's:

June 29, 1758—"Last week arrived here from Bristol, the *Snow Eugene*, Capt. Jonathan Tallimay, with 69 of His Majesty's Seven Years' Passengers, 51 men and 18 women."

Nov. 24, 1768—"Just imported from Bristol, in the Ship *Randolph*, Capt. John Weber Price, One Hundred and Fifteen Convicts, men, women, and lads: Among whom are several Tradesmen, who are to be sold on board the said Ship, now in Annapolis Dock, this Day, Tomorrow, and Saturday next, by Smyth & Sudler."

Over-all compilations of such shipments or total computations vary, but by means of a composite of data we can establish that the aggregate of those sent was large, bearing in mind the relatively inconsiderable seaboard populations of pre-Revolutionary days. As the result of the tabulation of extant archival sources, research is enabled to approximate early 18th century numbers sent, and the proportion of women felons. As will be seen, the proportion of about one-third women, as in the first above random advertisement, is borne out by the tabulation and collateral data.

For one of three Maryland districts, that of the Port of Annapolis (Patuxent District), entry books are extant giving the numbers of convicts landed during thirty years from 1746 to 1775. Not only was this merely one of three districts, but some of the entries designating "convicts," without specifying their number, cannot be included in the count. A tabulation of this one district in Maryland disclosed the total ascertainable number for the thirty years as 8,846 or 295 per annum. During this span there were entered at Annapolis 9,035 indentured

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servants, 2,142 Irish and German passenger newcomers, and 3,324 Negroes. Hence 39 per cent were indentured, 38 per cent convicts, 14 per cent Negroes, and 9 per cent paying passengers.⁵

Supplementing the above may be noted in the records of the Maryland Provincial Court seven convict consignments from 1719 to 1725. Six of these, during 1719-21 comprised 424, of which 256 were male and 158 female (or about 40 per cent women). Of the total, 373 were sentenced to serve seven years, and 51 were reprieved from death and designated for fourteen years. The consignment of 1725 comprised 134 without specifying sex. These entries concerned financial transactions between contractors and Maryland merchants, recorded for other than statistical reasons, and are no indication of the total convict shipments to that Province during those years.

Moreover, a tabulation has been made from an overseas source that is likewise enlightening. It comprises entries (in the Treasury Series of the *Calendar of English State Papers*) recording payments to contractors for transporting convicts from Newgate and from jails of the so-called home counties (Hertford, Essex, Kent, Surrey, Sussex and Bucks). The tabulation extends from 1729 to 1745, and does not include payment entries for transport from counties other than those mentioned. The figures for these seventeen years reveal that from Newgate and the six home counties 4,704 were sent—1,236 to Maryland, 1,281 to Virginia (which is highly significant in view of Old Dominion disclaimers), 899 to "Maryland or Virginia," and 1,288 to America without indicating destination.⁶

We have noted in the foregoing, one indication of 26 per cent females, another of 40 per cent. Combining these we get an average of 33 per cent, or one-third women.

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Large group reprieves from prison and the gallows, on condition of transportation, were granted in the king's name during various decades. Hundreds in the late 17th century were consigned to Jamaica, but most were shipped to Maryland and Virginia. At least 4,500 were 'pardoned' for the colonies between 1661 and 1700, according to a documentary summation by Abbot Emerson Smith, who states (too conservatively): "About one-quarter of all transported convicts were women."

This gave rise to Virginia's vain protest in 1670 against the plague of jailbirds. In 1696 leading Jamaica merchants, attending the Council of Trade and Plantations at London, declined the offer of eighty malefactors cast for deportation, because most of them were women. We are told that Barbados was receptive, but contractors could not be found to risk transporting them for sale, because the demand for white slaves had lessened in the West Indies.

By the following summer "the crush of felons, especially of women, in Newgate had become so great that complaints were heard from citizens who lived near the prison." The commissioners of transports consigned, and sent, fifty of the women to the Leeward Islands. Examples abound of the so-called pardon of women prisoners provided they be banished to Virginia or other British New World possessions.⁷

Indentured servants were of three principal classes: free-willers (redemptioners who voluntarily served out the cost of their passage); those kidnapped or forced; and the felons and convicts. The Act of Parliament in 1718 was the basis of transport procedure for the 18th century. Thereby felons (as well as rebels and dissidents) usually served seven years; whereas criminals convicted of non-clergyable crimes for which death was the penalty, when their sentences were commuted to

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transport, served fourteen years, and infrequently for life. The term convicts was loosely used for both groups by annalists.

Benefit of clergy originated in England in the medieval struggle between civil and ecclesiastical jurisdiction over the right to try and punish so-called clerical (literate) offenders. By extension it became a method applicable to all accused who could exhibit the clerical accomplishment of reading. For two centuries there was the rank injustice of discriminating between lettered and unlettered culprits. The device soon regarded all felonies as clergyable for first offence; but not for capital crimes—murder, rape, treason, arson, robbery. At first only men who could read were privileged to the doctrine. Such was the law at Virginia's beginnings. At the end of the 17th century, women were included in benefit of clergy. In 1731 the requirement of reading was abolished, but not until 1796 was benefit of clergy abrogated in Virginia. Because such benefit could be pleaded only once in a lifetime, burning on the thumb was customary to designate a person who had invoked the right, thereby precluding a second benefit, by reason of the brand mark.

Many stalwart yeomen and decent artisans were doubtless aboard the twelve small ships which during 1619 carried 1,261 persons to Virginia, including at least ninety women. The proportion of this total that was sent under duress cannot be known with certainty. Proof that it was a practice to vent prisons of women for forced transport during more than a century is contained in occasional official entries such as this of November, 1660:

"Proposal . . . To send over women [to Jamaica] for planters' wives; Newgate and Bridewell to be spared as much as may be, and poor maids instead, with which few parishes in

England are unburdened, sent over. The custom of the planter is to give, not to require anything with his wife."⁸

Apparently there were gaol deliveries of minor malefactors of both sexes from time to time to supplement the persuaded, coerced, and kidnapped females, herded over with vagabonds, 'rogues,' and confirmed convicts. For all alike it was at first a condign and miserable fate, for during the early years of the Virginia settlement two-thirds of them perished in a short span, and, to survivors, life long thereafter remained hazardous.

That women prisoners from Bridewell, Newgate, and Marshalsea gaols were transported to Virginia and other British possessions in the New World is seldom if ever expatiated in popular histories of the colony and commonwealth, and is referred to with reluctance in more searching studies. This is due more to discretion with respect to regional qualms than to the tendency pointed out by one earlier Virginia historian, which he called hagiology, whereby Tidewater origins are revered rather than revealed.

That such deportations occurred at no rare intervals, and to a much later period than is generally known, is certain. Thus one such typical instance is a warrant in the British Colonial *Treasury Papers* of 1723, authorizing payment of £264 at £4 per head transport. It is followed by an 'annexed certificate' naming sixty-six convicts, *of whom twenty-nine were women* (thirty are listed, but one name occurs twice), with a statement that they were to be transported by the contractor Jonathan Forward to Carolina or Virginia.⁹

In the welter of British colonial archives there are lacunæ as to the occasional sending of women prisoners during more than a century. Here, however, from the foregoing "annexed

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certificate," is the "True List of Prisoners taken from Newgate, and shipp'd on board the *Anne*, bound for Carolina or Virginia, which were delivered this 21st day of Feb. 1723-4 by Jonathan Forward of London, Merchant, vizt." (We cite only the women among the 66 names):

Ruth Arnold	Martha Townes	Eliz. Morden (als. Shields)
Mary Smith	Elizabeth Bushell	Gresian Milson
Mary Parker	Sarah Chapman	Anne Gadbury
Elizabeth Phillips	Elizabeth Tucker	Elizabeth Mansfield
Elizabeth Banks	Elizabeth Stibb	Sarah Baker
Lottice Hopkins(?)	Hannah Hyfield	Elizabeth Dawson
Mary Jarvis	Elizabeth Upston	Sarah Mathews
Mary Eller	Gertard Stanbury	Alice Wilkinson
Margaret Hall	Elizabeth Williams	Mary Eastlick
Anne Searritt	Sarah Hopkins	Eliz. Roberts (als. Harrison)

(The name of Elizabeth Bushell occurs twice)

Their names are here arrayed in tribute and not in denigration. Hapless creatures who were victims of circumstance as often as not, it is doubtless true that in the freer air of America their progeny numbered as many good folks as the offspring of more genteel lineage. Though a soiled and sullied list, time has effaced the frailties it penalized.

The *Anne* from 1717 to 1720 had been a 'slaver,' so one can conceive the misery of the voyage on such a vessel for these unfortunates. Where they were disembarked is uncertain. The port made was often the most expedient one, for vessels carrying convicts. In contemporary entries the destination, though usually Maryland or Virginia, is frequently unmentioned, or only designated as "American plantations." It was often determined by the point to which the freight cargo was

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consigned, or the colony to which conveyance could be procured at the least cost, or left to the whim of the wind.

For many of these sodden and submerged females any new life must needs have been better. The number so deported—some for atrocious, others for trivial offences—taxes belief. Despite the appalling *milieu*, perhaps they harbored hope, these twenty-nine, and hundreds of others like them. They were most of them unfortunates of the squalid teeming underworld—to put it tritely, more sinned against than sinning.

A compendium in which this above-mentioned document is printed was edited by the American historian, Charles M. Andrews, who in a footnote thereto admits that "*Forward had a monopoly of this business for many years.*" The fact is, that the first group of convicts consigned to Jonathan Forward, and for which he received payment from the Treasury, departed for Maryland on the *Eagle* in 1718. Forward was still at it in 1739—a span of *twenty-one years*. Yet strangely, in Andrews' later three-volume *Colonial Period of American History* (1938), that authority included *not one word* on these convict women! Special pleading and mitigation of unpleasant aspects and inglorious incidents are all too prevalent among those catering to esteem as popular local, State, and period historians. Not only did Andrews in his massive work ignore the fact, well known to him, that for many decades such gaol deliveries occurred in peopling the overseas plantations, but, as hereinafter pointed out, he gave only a scant and inaccurate sentence or two concerning the tobacco wedlocks (whereby women were bought as wives and paid for in leafage), and on the sending of boy and girl waifs from the miserable streets of Old London.

Going a step further, we find the names of the above-mentioned group of sixty-six male and female felons listed in

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the *Calendar of Virginia State Papers*, which was edited by William P. Palmer (under authority of the Legislature), and published at Richmond in 1875. The editor, in a footnote to the list of sixty-six convicts (including the twenty-nine women), apparently unaware that Forward transported such contingents for twenty-one years to the seaboard colonies, makes this odd disclaimer:

"The observant reader will discover, upon scrutinizing this list, that comparatively few of the names here recorded are now known in Virginia. Those recognized, are such as are common, wherever natives of Great Britain are to be found. This document was found in Philadelphia; and there is no evidence that those prisoners were ever landed in Virginia, whatever may have been the design of the Home Government. A large proportion of these names are most common in other parts of the United States."

In this ingenious fashion does Virginia's lance-bearer extenuate and redeem the Old Dominion! The "other parts" may indicate Carolina, which is mentioned in the certificate attached to the above warrant as prior and alternate destination. But what of the other consignments during many years? Even if the marriage registers of Virginia localities revealed the names of some of this bar-sinister group of women, such revelation need not bring an undemocratic blush to the brow of ancestral delvers!

A group of felons is known to have reached South Carolina in 1729, and there were other shipments thither. The conditions that prevailed during these long voyages beggar description. Even so, transportation may have been a mitigation of the horrors of British prison life in which both sexes were under the same roof, with unbelievable degradation,

including carnal promiscuity, and insanitary conditions beyond belief.

Seventeenth century ship mortality of enforced transportees has been estimated as at least 15 per cent, often 30 per cent. Within a five-year period *after landing*, from 35 per cent (women) to 50 per cent (men) of the 1620–80 indentured newcomers died. Among prison-vented men and women the death-rate was higher, then and thereafter. Arrival records (cited by Smith) show that when the *Honour* arrived at Annapolis in 1720, twenty of her sixty-one convicts had died. Thirty out of eighty-seven died during the voyage of the *Gilbert* in 1722, and thirty-eight out of ninety-five on the *Rapahannock Merchant* in 1725. Whether British or Irish, this grievous mortality prevailed to the mid-18th century.

Despite deplorable conditions on ships transporting convicts, it was a loss to contractors when the death rate on the voyage was high. Sir Walter Besant in 1902 cited three original documents concerning three ships transporting convicts in 1740/1. The voyages took two months or more. Of 153 convicts on board one of these ships, sixty-one died and eight were landed sick. The remaining eighty-four were soon sold. On the second ship, with 108 on board, thirty-seven died. On the third craft fifty were put on board and fifteen died. The proportion of the sexes is not stated. Most of the convicts were 'seven-year' passengers; a few had been remitted from the gallows but sentenced to fourteen years servitude.

The £5 paid to contractors for the period after 1718 (with brief change to £4 or to no subsidy) was so paid for the cost of food for the convicts while at sea. These were grouped in so-called messes of six each. Each such six received four pounds of bread daily; three pounds of pork on Sunday, and

beef on Thursday, with three pounds of peas on these two days. On the other five days there was for each mess, two pounds of oatmeal, and molasses. There was also occasional cheese, and on Saturday two gills of gin per mess. Yet the endurance of the hardiest was put to the test.

The Act of Parliament of 1718 inaugurated the era of legalized employment of contractors to transport criminals. This system, like that of kidnapping by 'spirits,' was a nefarious business, sanctioned, even sponsored, under official cognizance in Britain to dispose of the surfeit of social outcasts. The names of Jonathan Forward and Jonathan Wild as contractors became ominous on both sides of the Atlantic. Hugh Jones, rector at Jamestown, in his *Present State of Virginia* (1724), speaks of "the methods now practised by... Mr. Forward and some Merchants for sending over continually... loose Villains. ..."

Jonathan Wild, notorious gangster, celebrated in narratives by Fielding and Defoe, was hanged in 1725. His power was such that he had brought about the transportation of London thieves who refused to bring their spoils to his 'fences.' As government contractor he transported felons, though himself an arch felon! Francis March was likewise a contractor already retained in 1716 by the Treasury to transport malefactors remitted to his Majesty's Plantations.

After the above Act, it was Forward who shipped his first contingent of forty to Maryland in the summer of 1718, having signed an agreement with the Solicitor General on August 8 of that year. His contract was renewed annually, at increased stipend, having been £3 per head at the outset, and £5 in 1727 and thereafter. On May 4, 1722, Forward received a bonus payment by Treasury Warrant of £114 for alleged losses in felon transport to that date. Forward was so employed until

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April, 1739, when the Treasury retained Andrew Reid. The latter was succeeded as contractor in March, 1757, by John Stewart, who died in 1772. From Bristol, Hull, and Glasgow other contractors were likewise engaged.

A typical contract, dated May 3, 1730, was listed by the famous booksellers, Bernard Quaritch, Ltd. in 1939 (Catalogue 562, Item No. 331). It was an agreement between Jonathan Forward, Darby Lux, and others, for conveying to Maryland or Virginia some seventy persons, convicted, and presently at Newgate, awaiting furtherance of their sentences of seven years' transportation. Its value for us is that the names are enumerated, about one-third being those of females. The list included: John Gage, Wm. Isaackson, Arthur Moore, Mary Johnson, Elizabeth Lambeth, Alice Evans, Ann Harris, Sarah Hilliard, Isaiah Marshall, Jane Connor, Margaret Oxley, Edward Goodwin. Expert genealogists can, possibly, trace descent from some of these hapless ones if so desired by ancestral seekers!

A much earlier shipment of nine female felons to Virginia in 1635 is recorded. Entries in the *Middlesex Records* reveal others in the forties. In 1655, under Cromwell, groups (both political and penal) were transported to the colonial seaboard in addition to those despatched to the horrors of the West Indies. Narcissus Luttrell, in his *Brief Relation of State Affairs* under date of November 17, 1692, observes "that a ship lay at Leith, going for Virginia, on board which the magistrates had ordered fifty lewd women out of the houses of correction, and thirty others who walked the streets after ten at night." In the *Historical Register* of January 19, 1719, is a list of eighteen named as "cast for transportation," six feminine. In this source during the decade 1718-28 no less than 2,138 are so named, including several hundred women.¹⁰

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The Old Bailey archives also yield names, which may be culled at random, such as the ten women among thirty-two felons ordered transported in the records of July 17, 1731. The *Gentleman's Magazine* from its foundation in 1731 onward for more than forty years, virtually to the time of the American Revolution, briefly cited those sentenced to transportation, usually without indicating names or sex. The first five volumes cite 887.

In the *London Magazine* for December, 1732 we read: "Oct. 26: 68 men and 50 women felons convict were taken from Newgate, and put on board a lighter to be carried down the river, to be shipped on board the *Caesar* off Deptford, for transportation to Virginia."

Reverting to the 17th century, a committee of the Privy Council was appointed in 1661, a year after the Restoration, to recommend how felons both male and female, under sentence for minor offenses might be distributed among the 'English Plantations,' as well as poor, idle, debauched, and disorderly persons. These were either a charge upon the rural district or a nuisance in the swarming underworld of the cities. During the following few years the largest deportation of women in these categories occurred. In the House of Lords Calendar for 1663/4 is recorded that an Act was proposed, but not adopted, that "any women convicted of stealing any money or goods above the value of 12*d.* and under the value of 10*s.* may be branded in the hand," and on further offence or as further punishment "may at the discretion of the Judge be delivered to any merchant, planter, adventurer or other person (willing to take them) to be transported to Jamaica, Virginia, or any other English Plantation beyond the seas, there to serve for not less than five nor more than nine years."¹¹

This proposal for an Act of Parliament was regarded as a

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mitigation of the severity that had prevailed. Numerous women were deported under provisions tantamount to this. The appalling social chaos of 18th century London may be judged when it is said a child of six could be hanged.¹² Children were committed to foul jails, and the debtors' prisons were cluttered with wives and progeny who for lack of a domestic roof went with their men. Often children were incarcerated for years in the Bench or the Fleet under the most wretched conditions. Under George II, from 1727 on, there are many records of transport of adults for petty theft of the most trivial kind.

This extended period of judicial blight in England reached its nadir in 1772, when Mary Jones, young matron whose husband had been 'press-ganged' into the Navy, was hanged for stealing bread to feed herself and her two infant children. Her younger child had to be plucked from her bosom as she ascended the scaffold. Though incredible, it is chronicled in the Old Bailey records that as late as 1833 a nine-year-old boy was sentenced to death for stealing two-penny-worth of paint.

In passing it may be pertinent to point out that sometimes atrocious penal conditions (by present-day standards) prevailed in American prisons even after the Revolution. In New York and Philadelphia both men and women innocent of crime and gaoled for debt were herded among brutal and debased malefactors. A Grand Jury of Philadelphia in 1787 reported that the prison was "open as to a general intercourse between the criminals of the different sexes; and that there is not even the appearance of decency (from what they can learn) with respect to the scenes of debauchery that naturally result." With some of the women were found "their innocent though imprisoned children, from two to ten years of age." There are

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alleged to have been instances where women of good character became the victims of seduction within the walls, due to lack of segregation as late as 1826.¹³

In colonial times when life was held so lightly, and commerce was a dog eat dog affair, the status of lower-class womanhood, debased by indentured bondage and penal cruelty, approached that of the chattel so far as the early drafted convoys to the colonies were concerned. Indeed, as Secretary Kemp wrote in 1638 to the Secretary of State, Windebanke, "of the hundreds of people who are now transplanted, scarce any are brought but as merchandise, and sold to the planters as servants." And to be a servant then was to be the virtual slave of a soulless system. There is ominous silence in the Records of the London Company as to whether the 140 maids sent to Virginia in 1619-21 in barter for tobacco went with their own consent or by compulsion; and the inference is strong that they were coerced.

This harshness was also reflected in the early colonies by grievous punishments and expulsions. The sufferings of the persecuted Quakers in New England bore witness to this. The General Court of Boston ordered that Quakers who could not pay exorbitant fines should be sold as bondsmen or bondswomen to Barbados or other of the English possessions, including Virginia. Three men and one woman who defied banishment were hanged on Boston Common (1659-61).

As always, economic pressure dictated policies. By reason of their longer terms of bondage, convicts were more profitable purchases than indentured servants. The Virginia planters needed laborers, and took what they could get—whether kidnapped, self-sold, or convict. James D. Butler tersely states concerning those sent to Virginia:

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"All were bought for tobacco and set at work raising more. As Virginia's staple was tobacco, it naturally became a center of white as well as black servitude, whether its victims were indented or not, and criminal or not. All fared alike."¹⁴

Moreover, regarding the tendency of Virginia historians to stress the element of political rebels and dissidents deported from the British Isles, Abbot Emerson Smith in his study of convict transportation states: "It is a great mistake to confuse felons with political prisoners. The two classes were distinct. Our jailbirds were criminals, and their characters do not warrant whitewashing."¹⁵

Execrable penal laws brutalized the British people. With the death penalty for both atrocious and petty crimes, a man might be hanged as well for forgery as for treason; a woman for shoplifting. Of the shiploads of convicts and minor malefactors deported, some, submerged slum denizens, had come into the toils of the law on no heinous charge; others were merely dissidents and gentry in political disfavor. In many cases this deportation was a mitigation of the death sentence, in others, a desire to be rid of objectionable characters. Most of the deportees were victims of their vicious environment and not innately irredeemable. Thus only a minority were utterly depraved and habitual criminals, and it is tribute to the tonic of the nascent American way of life that colonial Virginia and Maryland should have more or less absorbed and remade many of these rogues, riffraff, and confirmed jailbirds thus sent over at intervals for a century and a half.

That the British penal code of the 18th century was "atrociously sanguinary," in the phrase of William Lecky, and that its severities brutalized the people, is undeniable. The enormities and injustices of that code were many. Thus two male-

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factors were scourged around Covent Garden in 1772, one for stealing a bunch of radishes, and one for ravishing his own niece.

William Blackstone and Sir James Mackintosh listed 160 and 200 capital non-clergyable felonies in 1769 and 1819 respectively. In addition to some twenty-five such felonies prior to 1705, there were 148 such felonies cited by statute during the 18th and early 19th centuries. These included fourteen kinds of arson, thirty-five specifications of forgery, eighteen varieties of theft.

Although transport of some of those sentenced was first tried in the period of the Restoration (1660–1714), it was not largely practiced until after the Proclamation of 1718. From then until the American Revolution it was substituted for the death penalty for hundreds in each decade. The prisons could hold only debtors and alleged culprits for trial. When Britain could no longer send such felons to the new American nation, and her gaols became cluttered, malefactors were confined to prison-ship hulks or sent to Botany Bay. That latter recourse was not abandoned until 1857. (See Appendix 3.)

From 1650 onward for more than a century, London abounded in prisons, one worse than the other—the Clink, the Compter, the Marshalsea, The King's Bench, the White Lion, were in Southwark alone; and there were the Cage, the Cripplegate, the Fleet, Ludgate, Newgate, and the Tower. The gallows or release was meted out to most in short order; there were few long detentions in prisons of the 17th century. Debtors were held till they satisfied the demands of their creditors. Moneyless inmates got little and foul food in these dank dens, unless bestowed by outside kin.

The special pleading of modern Virginia historians leads them into quagmires of contradiction concerning even the early

era of that colony's beginnings. Philip A. Bruce, spurning the evidence, speaks of "the prudence exercised by the London Company in preventing even dissolute persons from being conveyed to Virginia." And this in face of the fact that the sending of such undesirables was a suggestion of Sir Thomas Dale who governed the new colony for five years to 1616, and that later the Company maintained the first contingents in squalid detention till shipped. The Company sent the first lot of some fifty "dissolute persons" on the *Dutie* in 1619-20, and during the five years of its control was actuated by cupidity rather than compunction.

Bruce, contorting the truth, asserts: "One of the most convincing pieces of evidence that the population of Virginia, during the existence of the Company, contained no element that would cause it really to resemble a penal colony in character, is furnished by the report of the census of 1624-5, in which the ages of the servants are given." The indentured servants in their white bondage on the plantations averaged twenty-five years in age during that period. That this proves his point is questionable, even qualified by his adroit clause, "during the existence of the Company." Compare it with the statement of Mary Johnston in *Pioneers of the Old South*: "Over the protest of the 'country party' in the Company, there began to be sent each year out of the King's gaols a number, though not at any time a large number, of men under conviction for various crimes. This practice continued, or at intervals was resumed, for years."

On April 12, 1670, fifty-one years after the first batch of a hundred "dissolute persons" had been consigned, several Virginia counties (Middlesex, Gloster, York) petitioned the Virginia Council to halt the coming of "fellons and other desperate villanes sent hither from the prisons of England."

At the urgent appeal of the colony to the English authorities abroad, the Privy Council six months later issued an order seeking to lessen the practice, which nevertheless continued intermittently for a century thereafter.

The protest of the Virginia counties in 1670 against the sending of felons resulted in a temporary respite. Thomas Ludwell of Virginia in a letter to Lord Arlington, dated July 17, 1671, renders "humble thanks in ye Countreyes behalfe for your favorable assistance in the confirmation of the Gov'r & Councells order for the prohibition of ye importacon of newgateers w'ch since my last is come to hand, and truly my lord I think it soe very necessary that it be continued that I may say the safety of this Country will much depend on it for wee have had of late soe many and soe insolent villanies com'itted by men of that sort (whome threat nor punishm't keep in awe) that were theire numbers greater they would certainly (as the condition of this Country stands) very much hazard the peace of it—to yo'r Lord'p therefore wee owe our pr'sent security ag't them. . . ." ¹⁶

In much the same tenor, half a century later, Hugh Jones wrote in his *Present State of Virginia* (1724), that ships transport "those convicts or felons whose room they [the planters] had much rather have than their company; for abundance of them do great mischiefs, commit robbery and murder, and spoil servants that were before very good. But they frequently there meet with the end they deserved at home, though indeed some of them prove indifferent good." ¹⁷ Jones points out that efforts and measures had in vain sought to prevent too great an influx. Despite colonial hostility they continued to be sent, protests being tempered by scarcity of field labor.

Many a lowly creature of no innate depravity was consigned

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to transportation as a "dissolute person" under the harsh laws of the times. From 1750 onward, contractors and ship-masters bribed custodians of the crowded correctional prison of Bridewell to ply female inmates with drink, and cajole them to be taken aboard departing hulks.

In the Cromwellian period numerous unfortunates were executed for 'witchcraft;' between 1654 and 1659 three women (Mary Lee, Elizabeth Richardson, Katharine Grady) bound for Maryland and Virginia were put to death aboard ship for 'witchcraft' on the high seas.¹⁸ And in the mid 18th century in Virginia there are three instances of women (one possibly white) burned to death, legally, for murder. In 1731, Catherine Bevan was sentenced by the Court of New Castle, Delaware, to be burned alive for the murder of her husband, and it was so done.

Many or most of the convicts were transported by ship-owners under contract with the Government. They were sent as prisoners and sold to the planters by the shippers for the term stipulated, after which they became unbound. Bruce makes the amazing statement that: "The criminals imported subsequent to the dissolution of the Company [1624] were not introduced by the English Government, but were brought over by merchants, ship-masters, and planters in the character of ordinary servants." This perverts the truth. No private enterprise was permitted before the end of the Company; the largest proportion came *after* the Restoration in 1660, as Bruce inadvertently points out on a following page. Extant records of Warrants attest that the British Government *authorized* many 17th century shipments.

It is thus a fact beyond cavil that convicts, notorious offenders, and disorderly persons (as well as paupers and those in political disfavor) were shipped to Virginia at intervals

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during many decades. From as early as the King's Proclamation of 1617, to the year 1775 or later, records attest the transport of convicts to the Plantations.¹⁹ Throughout those troublous times exiled religious non-conformists and political deportees were among the most worthy stock to reach the New World; but habitual criminals and delinquents offset this element.

Leading Virginia historians have been loath to admit the extent of such convict transport. Brock in his chapter on Colonial Virginia in Justin Winsor's massive work mentions only the first consignment, omitting the fact that, from first to last, thousands were sent (an omission overcome by the editor, Winsor, in a footnote).

Similarly, Old Dominion disciples of the gentrified pedigree cult opine that most of the early tobacco maids (bought by yeomen for fixed poundage of the crop) died before 1625 through privation and massacre, thus sparing Virginia of any considerable offspring. An estimable Virginia historian, second to none in his particular field, has this odd alibi as to the convict element:

"As years went on the scarcity of women became a distinct blessing, for it made it impossible for the degraded laborer, even though he ultimately secured his freedom, to leave descendants to perpetuate his lowly instincts. Of the thousands of servants [indentured] whose criminal instincts or lack of industry made it impossible for them to become prosperous citizens, great numbers left the colony. Many went to North Carolina. As Virginia had served as a dumping-ground for the refuse of the English population, so did this new colony furnish a vent for undesirable persons from Virginia."²⁰

Yet we know that several of these transported felons or their sons ultimately became substantial planters or merchants

in Virginia, reared families, held office, owned large estates. Most were not by nature depraved. Andrew Lamb, transported convict, became a noted instrument-maker and teacher of mathematics in Philadelphia, and his son, John, a general in the Continental Army.

Almost from Virginia's beginnings, penal cargoes or contingents were to be shunted overseas in varying numbers—Maryland and Virginia receiving by far the most. Sir Thomas Dale as early as 1611 had already urged that convicts be sent as "not always the worst kind of men, either for birth, spirit or body," and probably better than the three hundred non-descripts he had been "enforced to gather in riotous, lazy, infected places" and of whom "not three score were fit for labor." Writing home that year to Lord Salisbury and beseeching a supply of 2,000 men, Sir Thomas declares he has "conceived that if it will please his Majestie to banish hither all offenders condemned betwixt this and then to die, out of common Gaoles, and likewise to continue that grant for 3 years unto the colonie (and thus doth the Spaniard people his Indies), it would be a readie way to furnish us with men."

The *earliest* recorded sending of male felons seems to have been that of five reprieved prisoners from Oxford jail turned over in 1617 to Sir Thomas Smith. Henceforth, for a century, such remissions were intermittent. The *Historical Register* tells us that on May 11, 1719 (the year the first "maydes" were sent to be bought for tobacco, as wives), 105 prisoners out of Bridewell, Newgate, the Marshalsea, and other prisons were put aboard ship for Maryland; on October 17, 1720, 154 for Virginia. In the *Gentleman's Magazine* "upwards of a hundred" are noted as shipped "to America" on March 9, 1731. A similar number were embarked July 13, 1753, for Virginia and Maryland. In 1752 the *Virginia Gazette* notes the arrival of

150 "bound for Maryland," and twits the neighbor colony with congratulations—to which the *Maryland Gazette* retorted in kind, pointing out that "Capt. Cracey, who brought these recruits into Patomack, sold the chief part of them on the south side of that river." Eighty from Bristol reached Maryland in 1769. Seventy are said to have been landed at Baltimore after the peace of 1783. But Moreau de St. Méry wrote in 1797 that the latter were sent back to England.

Vexation was caused masters of vessels by a Virginia Act of 1767, compelling ships with convicts and other transported persons infected with jail fever or smallpox to be quarantined. And as late as 1771 the King instructed Lord Dunmore, going over as Governor of Virginia: "It is our Will and Pleasure, that you do not give your assent to, or pass any Act whatsoever for imposing Duties on the importation of any Felons from this Kingdom into Virginia."

How many thousands came in all to the various colonies is uncertain. The guess in Boswell's *Life of Samuel Johnson* (1791) of 50,000 is too high. In their modern studies of colonization, Eugene McCormac in 1904, and Richard B. Morris in 1946 likewise suggest a figure of 50,000.

Our conjectural total of 35,000, other than rebels and dissidents, may not be far wrong as contrasted with an aggregate of the indentured class that has been estimated as high as 250,000 down to the end of the 18th century. The indications are that one-third of the 35,000 were women. Despite the fact that women were transported for stealing half a crown, many of the females were hardened reprobates and worse. In addition to penal transportees, the number of political offenders and religious recusants was a minimal one.

John T. Scharf, in his *History of Maryland* (1879), states: "The number of convicts imported into Maryland before 1776

must have amounted to at least 20,000. From 1750 to 1770 not less than four to five hundred were annually brought into the province." Abbot Emerson Smith, in his study of felon transportation, wrote in 1947: "During the twenty-five years from 1750 to 1775, about 25,000 servants and convicts entered Maryland." And further: "The Maryland shipping returns show with absolute certainty that 9,332 convicts arrived there between 1748 and 1775. I would estimate that the total number reaching Virginia and Maryland during the whole century was slightly more than 20,000."²²

Butler observed: "It would not be safe to reckon the total of involuntary emigrants sent forth from the Old Bailey alone as less than 10,000 between 1717 and 1775."²³ Smith states that in eight average years culled from the period 1729-70, 560 persons annually stood trial at the Old Bailey, with sixty-three per cent, or about 352, convicted. He adds: "Of these, sixty were sentenced to death, and 253 to transportation. About half of those condemned to death were subsequently pardoned on condition of transportation. It is plain that at least 70 per cent of those convicted at Old Bailey were sent to America."²⁴

Smith tabulates 17,470 sent from 1719 to 1772 from London and the Home Counties only, as shown by Treasury warrants for payment to the contractors, Forward, Reid and Stewart. Duncan Campbell, who for a score years was engaged in this traffic, wrote in 1787 that the felon shipments from the provincial counties of England equalled those sent from London and the Home Counties.²⁵

In summation, Smith wrote: "We should certainly be justified in saying that Great Britain bestowed upon America a total of 30,000 felons during the 18th century."²⁶ Another estimate is that of Wellborn, who wrote in 1943: "By 1775 the

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old English custom of sending convicts to Pennsylvania, Maryland, Virginia, and the West Indies...had accounted for about 40,000 of these undesirables. Many...were guilty of no worse offense than stealing when hungry, but large numbers were confirmed criminals."²⁷

One of the more reputable contractors was Duncan Campbell, twenty years in the business of transporting convicts. Jonathan Forward, after signing an agreement with the government in 1718, had sent forty as his first group in August of that year.

The agreements were much the same throughout the century, except that the subsidy of £4 each felon in 1718/9 was raised to £5 in 1722. The contractor was obliged to receive all male-factors consigned to him, whether hale or crippled, young or old and infirm. He had to pay the cost of conveying the unfortunates abroad ship, rewarding sheriffs or gaolers, and supplying food and irons.

The contractor Andrew Reid had an agreement with the Treasury from 1739 to 1757, when John Stewart took over as contractor. Stewart died in 1772, and his partner, Duncan Campbell, continued to transport convicts until the outbreak of the American Revolution. In testimony before a committee of the House of Commons in 1780 he stated that in twenty years he had carried and sold felons only in Virginia and Maryland.²⁸ He testified that the price ranged about £10, good artisans more, females £8 to £9. From April to July, 1772 he had sent 348 felons at a cost of £1740, and disposed of them for £2957. At this time the Treasury had discontinued the subsidy per head, due to the higher prices then fetched in the colonies by need for labor.

Field labor was in demand and such servants were hard to control. Under these conditions no fundamental distinction was

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made by some planters being indentured servant and convict. Thus, in 1722, Ambrose Barcroft in Bucks County, Pennsylvania, wrote to his father in England:²⁹

"I had 4 servants. The woman I sold, she were not worth keeping. One run away, I have heard of him in Maryland, but I am afraid he'll get to England, that I shall not catch him; two I have still. I have been in an humour to sell one of them the next Summer (for there is no danger of his running in the winter). He is a good hand and can be a good Servant, that if I were sure he would stay with me, I would not part with him on any account, but being a convict for 7 years I am afraid he'll run."

There was little distinction in terminology between felon and convict, other than that the latter implied conviction, or sentence served (or 'pardoned' for transportation). Several 19th century Virginia historians, such as R. A. Brock, were among the whitewashers who repudiated any descent of Old Dominion citizenry from such antecedents. Yet, in the *Virginia Gazette Index, 1736-80* (1950), are eight and a half columns of entries under the heading *Convict Servants*.

Naturally, many individuals of these contingents were base and corrupt. The Virginia code of 1748 provided that transported convicts might not testify in any case, except against other convicts, until their term of servitude had expired. This prevented convict women from accusing the fathers of their bastard children, if the fathers were not convicts.³⁰

This business of transporting those who had received a commutation of punishment for clergyable felonies became a gainful traffic as part of a soulless system of peonage for profit. Maryland and Virginia for a time imposed a tax on the

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traffickers for each such gaol-delivered person brought in for term sale.

Because Pennsylvania, as more or less autonomous, was favored by 'free willers' who assumed their indentures voluntarily, the convict element landed there was relatively negligible.³¹

Benjamin Franklin repeatedly inveighed against the nefarious practice. In *The Pennsylvania Gazette* (May 9, 1751), under the signature "Americanus," he declared the sending of "felons-convict" from Britain merited a return in kind, and suggested the sending of rattlesnakes to be 'distributed in St. James' Park, in the Gardens of the Prime Ministers, the Lords of Trade, and Members of Parliament.' This was repeated in the *Gazette* (January 13, 1763). Franklin wrote a column in the *London Chronicle* (January 7, 1768), on "the causes of American discontents." Therein he denounced "the Act authorizing the most cruel insult that was ever offered by one people to another"—that of emptying their gaols into American settlements. Again, in the *Public Advertiser* (London, January 30, 1770), Franklin wrote: "The Villains you transport must be ruled with a Rod of Iron. . . . We look upon it as an unexampled Barbarity in your Government to empty your Gaols into our Settlements, and we resent it as the highest of Insults." His indignation on this theme expressed itself as late as 1787.

Pennsylvania received various consignments of Irish felons. The harsh Pennsylvania code of 1700 was due to convict arrivals as well as to crimes committed by indentured servants. By the Act of 1718 twelve crimes were made punishable by death. The Pennsylvania Assembly in 1722 imposed a duty of £5 on any felons brought into the Province. This was rescinded by the Crown in 1730 "as frustrating the Acts made in England for the transport of felons." Some of these

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after expiration of their servitude became traders with the Indians. The Assembly of Pennsylvania in a message to the Governor, dated February 27, 1754, stated: "Our Indian trade is carried on (some few excepted), by the vilest of our own Inhabitants and by convicts imported from Great Britain and Ireland."

The records of convicts sent to Boston are minor. A group of seven reached there from Hull in 1747. Such shipments to New England were sporadic and never an exacerbating problem. Massachusetts was in a different status from Virginia or Maryland in the royal aegis.

Evidence is meager of convict shipment to New England and the seaboard north of the Hudson. But stray inklings occur, such as the following item in the *Salem Mercury* (July 15, 1788): "Last week arrived at Fisher's Island [in Long Island Sound], the brig *Nancy*, belonging to this port, Capt. Robert W—(a half-pay British officer) master, and landed his cargo, consisting of 140 convicts, taken out of the British gaols. Capt. W—, it is said, received £5 sterling a head from the government for this job; and we hear he is distributing them about the country." In view of the post-Revolutionary date, this may have been a belated or clandestine shipment, prior to the Congressional advice to the States, September 16, 1788, to proscribe such further transport from abroad.

A century earlier, victims of the Cromwellian persecution of Ireland were sent to bondage in Boston port. They were slurred as rogues and vagabonds, but were hapless men, women, and children herded over on the *Goodfellow* and the *Providence*. Remember, Benjamin Franklin, while American Minister at Versailles, wrote to the people of Ireland, in October, 1778: "The misery and distress which your ill-fated country has been so frequently exposed to, and has so often

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experienced by such a combination of rapine, treachery, and violence as would have disgraced the name of government in the most arbitrary country in the world, have most sincerely affected your friends in America and have engaged the most serious attention of Congress."

But this last is a bit astray from our theme of female felons sent to colonial America, and, incidentally, males. That story is pivoted in the region of the Chesapeake—whither we return.

The outlay of the contractor was £4 to £8 for transporting a servant; these servants were sold in America for double or more during the 18th century. Convicts were sold for from £8 to £20, with £10 pounds as the average, females bringing £8 or £9. The Treasury grant to the contractor was usually £5 per convict.

Governor Horatio Sharpe of Maryland wrote to London, July 27, 1767: "That scores of People have been destroyed here by the Jail Fever first communicated by Servants from on board crowded infectious Ships is notorious." Sharpe quotes from a letter received by him from George Selwyn in London in 1767, concerning a ship belonging to contractor Stewart, bound for Maryland: "I went on board, and to be sure, all the horror I ever had an idea of is short of what I saw this poor man in; chained to a board in a hole not above 16 feet long, more than 50 with him; a collar and padlock about his neck, and chained to five of the most dreadful creatures I ever looked on."

Fetters for felons were commonplace, sometimes on ship-board, usually before boarding ship at a British port of embarkation, often in the colonies by taskmasters. At times and places, convict women were likewise gyved. Abbot Emerson Smith states: "It was customary to keep all ordinary felons below decks and chained during the entire voyage."

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With respect to white servitude, including convict shipments, to British colonial America, no scholar has equalled the study of Abbot Emerson Smith. His *Colonists in Bondage* (1947) is invaluable, but does not cover the French colonials of Canada or Louisiana.

We have quoted figures for Annapolis, Maryland, as given by Basil Sollers (*Maryland Historical Magazine*, 1907). Another tabulation is given by Abbot Emerson Smith in 1947. He states that incomplete figures for the debarkation at Annapolis, for 1745-75, are 10,560 servants, 9,360 convicts. The prevailing sex ratio with respect to the convicts would indicate more than 2,500 women offenders sent to Maryland during those thirty years. That the figures are incomplete is shown in the instance of the *Dolphin*, (Captain McDougal), which sailed from London, June 2, 1764, with 141 convicts, and reached Annapolis August 14, with no mention of convicts in the landing record. This is unlike *recorded* entries such as that of the *Thornton*, which brought 152 convicts to Maryland in 1767, and 202 in 1774.

To Maryland and Virginia the gaol-vented prisoners were sent, down to the Revolution. In 1776, Eddis wrote that Maryland was the only province into which convicts were still freely imported.³² A cargo of eighty such convicts from Bristol was admitted to Maryland in 1769. At the beginning of the Revolution the traffic was still under way. On April 22, 1775 (three days after Lexington and Concord), Bristol contractors were authorized by His Majesty's Justices of County Dorset to transport four convicted felons (two of them women) to Maryland for fourteen years' servitude. Even after the peace of 1783 a large consignment of criminals was shipped over from England and, on entry being refused, was sent back.³³ Such shipments were not declared illegal in Virginia until 1788.

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Criminal acts through the years by this class reached a peak in 1751 in Maryland, so that Baltimore County and Anne Arundel County ordered that security of £50 should be deposited for each such felon imported into its jurisdiction. But these orders were nullified by the Provincial Court. In 1769, the Maryland Assembly enacted that shipmasters importing felons or convicts should furnish a transcript of the record of conviction of each, and that the buyer of such transportees should deposit £20, to be refunded at the end of the term of servitude if such felon or convict had kept the peace.³⁴

On various occasions colonial Assemblies passed acts levying duties on the importation of convicts, but these levies were rescinded abroad as contrary to British policy; or proprietors, such as Lord Calvert, vetoed the enactment. The Virginia act of 1670, prescribing such a duty, although confirmed by the Privy Council in England, was nonetheless violated. Finally an act of Parliament in 1718 made legal the traffic of convicts to the colonies. That act of 1718 gave authority to British judges to order the transportation of felons for seven years, or, when the crime had a death penalty, for fourteen years, at the will of the bench.

However, before and after 1718, there was no consistency in these attempts at prohibition and enforcement. Maryland in 1676 forbade the importation of convicts of either sex. Violations subjected the master of a vessel or planter buyer to a penalty of the value of 2,000 pounds of tobacco. But the Crown voided the enactment as contrary to policies sanctioned by Parliament. Virginia in 1678 vainly sought to prevent the landing of convicts; but it, too, failed of restraint. Again, in 1723, Virginia required transporters of convicts to deposit £100 security for good behavior of each convict for two

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months. This, too, was rescinded by Parliament in that it tended to defeat British transportation policy.

Concealment was resorted to by transporters, and, often, planters purchased convicts without knowing it. Maryland in 1754 enacted a 20 shilling duty on each convict brought into the Province; but it was repealed in 1756 after controversy with the overseas authorities.

Throughout the 18th century there was in the records of Virginia, Maryland and other colonies a loose usage of the terms felon and convict, due to changing interpretation of the benefit of clergy doctrine. With respect to Maryland the figures and statements of Scharf have withstood attempts to scale them down or minimize them. Those who would palliate Maryland's past resent Scharf's statement that "not a few of our old families are descended from indentured servants and convicts sold into the Colony." But his findings were based on access to extant records of the Maryland Provincial Court and to six Port of Entry Books, as well as other sources, and are in the main unassailable.

Though Scharf did not give a breakdown of the figures, we are enabled to present a brief summary. Thus on June 22, 1717, the earliest entry in the Maryland Provincial Court Records concerning convicts cites ninety-four as having come on the 100-ton *Worcester* frigate of London, arriving at Annapolis on June 5. Eighty were brought on January 15, 1719, and 105 on the ship *Margaret* in August 1719. A year later fifteen landed from the *Good Will* and seventy from the *Gilbert*. Thereafter that same year the *Good Will* brought thirty-one. Another entry records 143 servants and felons aboard the *Lucky Galley*, without stating how many were gaol delivered. There is then a lapse of years with no pertinent

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entries, until eighty-four convicts are noted as having arrived on the brigantine *Sea Nymph* on September 19, 1739. For this earlier period the probable total may have been less than the sweeping estimate of Scharf. But the Port Entry Books from 1748 to 1775 disclose 9,169 which with a known 582 from 1634 to 1739 totals a definite Maryland listing of 9,751.³⁵

The following advertisement appeared in the *Maryland Gazette* of June 25, 1752:

"Ran away from the subscriber, living in Annapolis, on May 23, a Convict Servant Woman named Hannah Boyer, about 23 years of age. Pitted much with Small Pox, has a Scar in one of her Eye Brows, not very tall, but strong, fresh colour'd, robust, masculine Wench. She had on and took with her a blue Jacket, an old whitish Cloak, a brown Petticoat, a double Mobb [cheap hood], an Osnabrigs Shift, a small striped checked apron, a plaid Petticoat, and Night Gown, no Shoes nor Stockings; but without doubt will change her cloathing. She had a Horse Lock and chain on one of her Legs. Whoever takes this Servant and brings her home shall have 20 Shillings Reward."

Frequent notices in the gazettes concerning runaways reveal, as in the above, that women convicts as well as men were sometimes shackled. Incurrigibles were forced to wear iron or steel collars.³⁶ But leg-irons and neck-yokes did not hinder recalcitrants. Washington's steward declared it was useless to 'iron' runaways because friendly Negro blacksmiths filed off the fetters. All convict transportees on the voyage to America were manacled below decks under conditions that resulted in an average death rate of at least 15 per cent.

In the *Maryland Gazette* of November 8, 1764, a similar

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notice had the following postscript: "N.B. She is fond of Drink and likes Sailors Company much, and all Masters of vessels are forewarned against carrying her off." Another such notice concerned "Anne Young, about 30 years old, pitted with the Small Pox, middling tall, and slender...has run away several times, and knows a great many noted men."

It is important to know that of the indentured servants and penal transportees of both sexes sent to the West Indies, many were sent or allowed to depart to Virginia and elsewhere before the expiration of their term of servitude. Many were sold several times during their term. As early as 1678-9, 523 such men and sixty women were removed to the mainland from Barbados.³⁷ In subsequent years the trend was larger.

With respect to the extent of the convict traffic there has long been controversy—from lily-white disclaimers to slanderous exaggeration. To the latter belongs the egregious slander of Dr. Samuel Johnson, who in 1769 remarked to James Boswell of the early 18th century Americans: "They are a race of convicts and ought to be thankful for any thing we allow them short of hanging." We venture this repetition.

Thus, one frank researcher in the *William and Mary College Quarterly* declared: "No American of the present day need worry himself as to whether or not one of his ancestors was a transported convict, as all families, American or European, would, if their lives could be traced back far enough, find many convicts among them."³⁸

A contrary view by a Virginia genealogist stated: "I challenge proof of the assertion of convict descent among the representative families of Virginia by the production of a single instance of an ancestor of such a family having been convicted of any wrongdoing. . . ."³⁹

One finds contradiction even by the same delver. Thus,

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Hester Dorsey Richardson (former president of The Order of Colonial Lords of Manors, and former member of the Maryland Public Records Commission), calculates and concedes there were 9,969 penal transportees to that Province between 1715 and 1775. In another work, seven years later, under a heading "Maryland Not a Penal Colony," she has *no word* on the statistics, but extols the Calverts, expounds on "the germs of a transplanted nobility," and declares that "sons of knights and ladies came in the *Ark* and the *Dove* with the Calverts."⁴⁰

Compare this latter version of "transplanted nobility" to Maryland with the perverted viewpoint of another historian widely read half a century ago. Regarding Maryland he wrote: "In this enormous importation of a low class, and in the presence of Spaniards, Italians, Dutch, Germans and Bohemians who came to the province as adventurers, we find a reason for the failure of Maryland to attain a position of leadership and distinction like Virginia." He would have it that Virginia "kept itself clean of convicts, paupers, and inferior nationalities."⁴¹

In somewhat acid vein a commentator observes after investigation of trial and prison records at the Old Bailey in 1896:

"The names I have ascertained to be all preserved and accessible to American genealogists who go abroad for tracing their ancestry. Accordingly, I have urged Mr. H. F. Waters, who has been employed in London for years in searching out the lineage of Bostonians, to betake himself to the Old Bailey. Its proceedings fill 110 manuscript volumes."

Walter Rye, the English genealogist wrote: "Unless you wish to know the truth, the whole truth, and nothing but the truth about your family, do not too closely search the crown plea rolls, or you may feel disgusted at finding that an ancestor was hanged for murder, burglary, or some other trifle."⁴²

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Albeit these sallies are sardonic for effect, even grossly exaggerated, they serve as antidote for the ancestral pretensions of *some* of those smug, framed, family trees which, root or branch, have never a trace of blight in their elaborate proliferation. For sometimes the most gilded of these lineages are arboreal fancies which really had only a plebeian bush background or a hedgerow (common law) mating.

In a study of English 18th century criminal law by Arthur L. Cross, stressing the American historical implications, that author in 1917 tabulated findings gleaned from the set of *Old Bailey Sessions Papers* from 1729 on, acquired by the Harvard Law School Library. A highly pertinent table is presented by him, selected at random from early decades as typical of Old Bailey gaol deliveries and trials. The table⁴³ follows:

	TRIED	SEN- TENCED TO DEATH	TRANS- PORTED	BRAND- ED	WHIP- PED	IMPRI- SONED
1729-30-	-541—	48—	219—	29—	24—	— 4
1730-31-	-501—	51—	271—	28—	21—	— 5
1731-32-	-554—	70—	209—	7—	6—	— 6
1732-33-	-559—	52—	248—	26—	4—	— 9
1748-49-	-670—	61—	255—	21—	61—	—
1749-50-	-670—	84—	258—	17—	36—	— 2
1760-61-	-284 ^A	22—	155—	21—	17—	— 3
1769-70-	-704—	89—	266—	27—	25—	— 1
1778-79-	-517—	56—	—	60 ^C	49—	—12
1802-03-	-846—	88—	203 ^B	—	99—	—75

A: Small number tried this year due to war. Many convicts were enlisted in the army and navy. *B:* To Botany Bay. *C:* Branding thereafter soon ceased.

JEFFERSON ERRED greatly in his casual estimate of the extent of the felon element, and thereby misled historians of

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Virginia and the colonial period (such as Cooke, Brock, and Fisher) who accepted his fallacious figures. Going to the source, we find that while in Paris in 1786, Jefferson wrote to M. de Meunier:

"The malefactors sent to America were not sufficient in number to merit enumeration as one class out of three which peopled America [free-will redemptioners, the kidnapped or coerced, and convicts]. It was at a late period of their history that this practice began. . . . I do not think the whole number sent would amount to two thousand, and being principally men, eaten up with disease, they married seldom and propagated little. I do not suppose that themselves and their descendants are at present four thousand, which is little more than one-thousandth part of the whole inhabitants."⁴⁴

If, too conservatively, in the long span of a century and a half, 7,500 felons be reckoned as sent to Virginia alone, and we take Jefferson's ratio of descent, 15,000 would be the figure when he wrote. Although the total United States white and colored population was 3,893,635 in 1790, the total free white male adult population in Virginia in 1790 was only 110,936, and the total free white population of both sexes including children was 442,117. Hence, the Dominion proportion of felons and their descendants becomes one in thirty—quite a different quota! If a conjectural estimate of 30,000 such malefactor arrivals on the whole seaboard be doubled *in descent*, the ratio at the time Jefferson wrote (with a total United States *white* population in 1790 of 3,172,006) would have been about one in fifty-three. But only a negligible convict element was sent to several of the Thirteen Colonies. Though more than 15,000 reached Maryland alone, conceding that the moderate figure of 30,000 to 35,000 for all the colonies is only a searching estimate, we may halve this malefactor

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total and still find that element and offspring about one in a hundred, rather than one in a thousand, as Jefferson surmised!

How wholly erroneous was Jefferson's assumption, written in 1786, is evident from his assertion that "it was at a late period" in the colonial era that convict transport began. Yet before Jefferson was born (1743), thousands of such transportees were sent, as herein tabulated, the earliest within the first decade of the founding of Jamestown. It was, moreover, preposterous of Jefferson to assume only a twofold descent of this class (2,000 estimated by him as sent, with 4,000 estimated descendants, when he wrote). With provable felon and convict transport to Virginia and Maryland, in accelerated numbers through five generations, and a total for Virginia and Maryland and the Carolinas of approximately 30,000, even Jefferson's twofold increase in offspring would mean 60,000 descendants at the time he wrote, instead of 4,000. But his most mistaken statement was that of embracing all the colonies, when he knew few criminals were received in New England, and most in Virginia, Maryland, and southward. How invalid his presumption of 2,000 for all the colonies for the span of 150 years is evidenced by the figures (on a previous page) for 1729-45 of 1,281 sent to Virginia and 1,236 to Maryland during those seventeen years. The fact that several 19th century historians reiterated Jefferson's false generalization added to the distortion that sought to palliate the past of the Old Dominion and to endow it with patrician beginnings, despite annals and archives that evince the contrary.

Convict consignments continued to Maryland after other colonies were inclined to spurn further shipments. Black labor now gradually supplanted white indentured service. Congress on September 16, 1788, resolved: "That it be and is hereby

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recommended to the several States to pass proper laws for preventing the transportation of convicted malefactors from foreign countries into the United States." Later that year, Pennsylvania, Connecticut, Virginia, South Carolina passed statutes prohibiting such importation under penalty of fine and imprisonment for those participating in the traffic. Rhode Island did likewise in 1789.

At the close of the Revolutionary War the independence won by the colonies did not prevent adventurers from bootlegging convicts to American ports to sell to the planters.⁴⁵ The enactment of the first Congress for taxing the importation of 'certain persons' was intended to apply to convicts (as well as slaves). Several of the new States passed acts forbidding such convict importation. New Jersey, for instance, by Act of January 28, 1797, fixed the penalty for each offence (whether by land or sea) at \$200 and costs. England, however, had now made the Antipodes its new place of riddance.

Coördination of the various archival statistics presented in these pages discloses that close to 9,000 prison women were vented to America before the Revolution, together with an approximate total of 26,000 males. *From 1650 to 1750 more than 15 per cent of the peopling of Virginia and Maryland came of prison antecedents.* Of these a minority were hardened criminals, and most, minor malefactors.

The seamy backgrounds of early Virginia have been white-washed by circumspect Virginia historians. First, there is the figment that the so-called First Families of Virginia (who were the *later* large landowners) stemmed from crested overseas lineage. Second, there is the fabulous tradition that the origins of the American Revolution had root in the patriotism of those Tidewater planters—so-called landed gentry—who, after Independence, imputed the primacy of their own participation—in

retrospect. Third, there is the illusion that the social amenities, manorial living, morals, of the Old Dominion led the new American nation out of a parvenu status by emulating the supposed cultural plane of the Tidewater tycoons. With hauteur, the slave-holding Old Dominion oligarchy foisted the Virginia tradition on the plebeian commoners of the land-at-large who neither read nor wrote history, but *made* it. Fourth, there persists the genealogical foible, exploited by Cooke, Page, Brock, McIlvaine, and other Virginia chroniclers, which reiterates the so-called Cavalier influx and knightly origins of the Maryland and Virginia early immigrants, ignoring that coats-of-arms from the College of Heralds could be *bought*—like rank in the royal army. Pedigrees could be acquired for a fee.⁴⁶

Dixon Wecter observed: "A true picture of the origins of Colonial Society must begin by expunging the pious frauds of romance and amateur genealogy."⁴⁷ Harold U. Faulkner pointed out: "Probably more liberties have been taken with the truth as regards the history of Virginia than with that of any other of the colonies. . . . The white population of Virginia, instead of being composed of the best elements of English society, was composed to a considerable extent of the worst."⁴⁸ The indentured element (during and after servitude) comprised more than two-thirds of the early Virginia population, and three-fourths of the entire early population were illiterate.

The system of bond servitude by indenture, as well as convict shipment, are neglected aspects of American beginnings. This is all the more strange when it is realized, as stated by historian Richard B. Morris, that these elements comprised 80 per cent of all immigrants to America during decades of the colonial period.

The material gleaned by Abbot Emerson Smith in his *Colonists in Bondage* (1947) is the foremost treatment of the

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subject. Yet it is not without lapses and flaws. It scants women felons (which it is our purpose herein to present). It scants the misery of the transported, with little heed to the egregious conditions, the greed of the London Company for Virginia. It perceives "a certain humanitarianism" (page 133) in the proceedings, which were sordid, ruthless, and wholly without social conscience. It gives only a paragraph to the enticed 'tobacco maids,' in brief dismissal. It glosses over the degrading aspects of the whole subject. It is warped in seeing the sending of homeless children from congested 17th century London as actuated by a "genuine charitable instinct" (page 150). On the contrary, the motivation of the Company, and after the dissolution of the Company, then of the contractors, was solely that of profit.

In 1619 (the first decade of Virginia's settlement) ninety inveigled 'maydes' had been shipped over to Virginia by the heartless London Company on the *Jonathan*. During the next two years fifty more, lured from city slums and rural areas by unscrupulous agents, were sent on the *Marmaduke* and on the *Tyger*. These 140 were the tobacco maids sold at Jamestown for about their own weight in leafage. They were not felons, but were, to all intents, shanghaied, as 'breeders' for the colony.

In the early decades in Virginia, payment to contractors for men or women transported in servitude was almost always in tobacco, valued according to grade. This was due to lack of currency. In 1636 the ship *Tristram and Jane* brought seventy non-penal servants who were sold for amounts ranging from 250 to 600 pounds each. The average price for these was 527 pounds of Virginia leaf. Even court fines were paid in tobacco.

In Jamaica, sugar was the barter medium, and £7 the equivalent price by an act of 1698. In 1693, Montserrat offered 2,500 pounds of sugar per servant. But our present concern

is not with the West Indies era when imported white slaveys were auctioned for sugar. In Virginia, from 1657 to 1691, 500 pounds of tobacco or thirty lashes was the penalty for fornication, and twice the poundage of tobacco for adultery. The Maryland Assembly in 1715 imposed as penalty that a person convicted of fornication was to be fined 30*s**h*. or 600 pounds of tobacco; a person convicted of adultery was to be fined £3 or 1,200 pounds of tobacco.

The presentation in our pages concerning convicts sent to the colonies has stressed the feminine element, because never before set forth by research in comprehensive form. Of necessity, the male element is presented by way of comparison. The indentured servant (apart from the convict element, but not always distinguishable) was a chattel that could be won or lost in a card game; could be disposed of by will, given for a debt, sold two or three times to different masters during the period of servitude.

In nearly all statements in these pages the source is given. In a few instances there is uncertainty. Thus, an example of the latter is the following: In the Cromwell period, the Venetian ambassador at London wrote on March 3, 1655/6 that soldiers of the London garrison had raided brothels and other resorts and forcibly taken more than 400 women, who were shipped by the authorities to Barbados, as 'breeders.' There is no further confirmation of this; but the many thousands of men and women so sent to the Islands (as recorded in contemporary documents) lends credence to this isolated episode from the long ago.

At a time when public hangings were enjoyed as a spectacle by the populace of London, the march of chained men and women from prison to dock was an occasion for bystanders to jeer the departing procession, and for the rogues and

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trollops to retort in kind. Some were marched long distances from inland towns to seaport.

In the debtor prisons those who had funds were accorded privileges denied to the destitute. In British gaol deliveries for transport, those with more or less money, or influence, could keep apart from the rout of felons. Any such, having requisite resources for the voyage, could avoid the toils of the contractor. Abbot Emerson Smith, in commenting on this, states:

"Four convicts in 1736 rode down to the shore in two hackney coaches, while a fifth, who was a gentleman of fortune and a barrister at law, guilty of stealing books from the library of Trinity College, Cambridge, rode in a third coach with no less a person than Jonathan Forward himself." These five had defrayed the cost of their passage and had less hardship on shipboard. The common sort, lacking funds or favor, were herded below deck, where, with most of the inferior ships lacking portholes, there was ventilation only from the hatches.

Although there were three consecutive Bridewell buildings during three centuries (1553-1863), the term Bridewell came to be loosely applied to all such 18th century Houses of Correction in London and in Britain generally.

Originally and briefly a training place for homeless apprentices, with hospital adjunct, the Bridewell cells soon were used for nondescript malefactors, and for political and religious prisoners, as well as debtors. Conditions steadily worsened, with flogging, extortion, stench and gaol fever prevailing. In 1750 gaol fever infected the court when Newgate felons were brought out for trial, and the Justice, clerk, and several of the jury died of the disease.

Debtors were not segregated from criminals, nor young from old. The sexes were separated only at night. The insane intermingled with those of sound mind. Occasionally, groups

were consigned to condign transportation to lessen overcrowding. Female felons, strumpets, and incorrigibles were sent overseas, selected helter-skelter at the will of the wardens.

Hogarth in *The Harlot's Progress* depicted men and women beating hemp in the day room of the Bridewell in 1668. Sir Walter Besant tells us: "In the 18th century the flogging of women in Bridewell was one of the sights of London to which anyone could go. The Alderman present held a hammer in his hand and the flogging was continued until the hammer fell."

Most of the transported penal females became wives of a sort in the woman-hungry colonies. For decades they constituted a major element among the feminine transportees to Virginia and Maryland. Hence, the marital beginnings of both areas largely comprised these hapless ones. All in all, they were a one-third factor in the early mothering of America.

ROMANCE and tragedy tinge the fragments of a story that vies with that of Manon. When the Virginia muster of 1624 was taken, Eleanor Phillips lived in one of the precincts called Shirley Hundred. In England she must have had powerful friends, for the London Company at its meeting of September 5th, 1622, heard that influential figure, Nicolas Ferrar, report that he had received a warrant, directed to the Company and signed by various lords of the Privy Council, ordering that Daniel Francke, a reprieved malefactor, be sent to the Plantation of Virginia, and stating that he was to be accompanied by one Eleanor Phillips, who was to pay the passage and whom Francis had agreed to serve. The Company placed them on the ship *Southampton*, which was about to sail. They reached Westover in due course, and several months later Francke died. But the question that piques one's curiosity is what

led Eleanor Phillips to share the fate of Francke after having doubtless secured his release.

Elizabeth Canning, aged twenty, was convicted of perjury in May, 1754, at the Old Bailey and as a felon was sentenced to banishment. She reached Philadelphia on board the *Myrtilla*. Because the evidence was flimsy and her character good, subscriptions were raised in her behalf by sympathizers, and she later married an opulent Pennsylvania Quaker, dying in Connecticut in 1773.

As late as October, 1774, the *Gentleman's Magazine* noted that the Hon. Mrs. Elizabeth Grieve was sentenced to seven years' overseas servitude for defrauding divers persons in England under pretence of procuring them places under the Government.

Among curious outcroppings pertinent to our inquiry is an account in the *London Magazine* for 1773 of one Sarah Wilson, who was lady's maid to Miss Vernon, maid-of-honor to Queen Charlotte and sister of Lady Grosvenor. Sent on an errand into one of the royal apartments, she pried open a cabinet and filched a valuable jewel, for which she was apprehended, tried, and sentenced to death. Through the influence of her former mistress the sentence was commuted to transportation, and in the fall of 1771 she was deported aboard a convict ship, put ashore in Maryland, exposed for sale and purchased.

After a brief spell she decamped into Virginia, thence made her way to South Carolina. Thinking herself safe at a distance from the plantation master to whom she had been indentured, she assumed the title of Princess Susanna Carolina Matilda, declaring herself a sister of the Queen. Her deception was favored by fashionable clothes she had kept for her voyage and flight, as well as certain jewels and a medallion portrait of Her Majesty. Under these pretensions she was invited to

plantation homes of the gentry, "making astonishing impressions in many places, affecting the mode of royalty so inimitably that many had the honor to kiss her hand."

Acting her part in a manner to persuade most that she was no impostor, she promised sinecures and promotions, a post in the Treasury to one, command of a regiment to another, a colonial governorship to a third. In return she exacted substantial loans from several in high places. Although one or two cautious gentlemen had sought to detect her fraud, it was not until a runaway advertisement appeared, followed by a messenger from her master, that the game was up. The messenger having "raised a loud hue and cry for her serene highness," she was conveyed from her host at a plantation near Charleston, back to serve her term in Maryland.⁴⁹

WHY SHOULD WE blink at the fact that Old England shunted over convicts and other gaol deportees aggregating thousands and tens of thousands during a century and a half, even sporadically and by subterfuge after conclusion of the War for Independence? Since as many were petty malefactors as confirmed criminals, and since many of both sexes suffered dragnet deportation for vagrancy, fraud, thievery, counterfeiting, or other malefaction, why not state that the odium was due more to wretched social conditions than to innate depravity? Rather than hush up these colonial origins of a scorned segment of those who peopled the middle seaboard—as is commonly done by regional historians who would paint the lily of local pride—were it not better to stress that most of those 'jailbirds' in a new environment stood redeemed from turpitude, and, if not they, then their children?

Many a worthy man and woman was transported with the

brand of convict through chance misdeed or hapless circumstances. It was from the progeny of these thousands, and of the involuntary Irish exiles and Scotch rebels rather than from offspring of the opulent Tidewater coterie that the rank-and-file patriots of the Revolution descended. The deportation of large numbers of political and social offenders from England to the American colonies, and particularly of Scotch-Irish dissenters, resulted in a marked increase of democratic sentiment and in a rising spirit of rebellion which finally led to separation of the colonies from the mother country.⁵⁰ Women felons and females of the indentured class, we may be sure, abetted the surge of revolution, or from an earlier era had transmitted an abiding insurgence to their offspring.

The notable families who came in the late 17th century were the foremost, *but not the first*, families of Virginia. Culture, good living, and the birthright of Americanism were nurtured by such mercantile families—latterly patrician—as the Byrds, Carters, Custises, Bacons, Armisteads, Lees, Brents, Claibornes, Fitzhughs, Pages, Peytons, Harrisons, Randolphs, Spencers, Wormeleys, Washingtons. The region that gave America its Washington, Jefferson, Madison, Marshall, Henry, George Mason, Monroe, and many another great son, has no reason to palliate its early peopling. Though many of the felons sent were a bad lot, Virginia survived! And many a jade out of Bridewell came to know redeeming motherhood.

THE FOREGOING pages have recited authentic details concerning the extent and methods of convict transportation from Britain in the colonial era—without unduly stressing the iniquity of the system. The prison conditions then prevailing in the British Isles and the terrible punishment of even minor

crime are almost inconceivable today. Women were sentenced to burn at the stake, not only for murder, but for such crimes as coining shillings. Catherine Hayes was so executed on March 1, 1726; Isabella Condon on October 27, 1779; Phoebe Harris on June 22, 1786; Margaret Sullivan on June 25, 1788. The last woman judicially burned in England was Christine Bowman on March 18, 1789. It was the practice to strangle the women before applying the torch. Hanging became the legal method after June 5, 1790. In the preceding century, in the decade 1609-18, thirty-two culprits were pressed to death by weights, including three women.

The annals of the debtors' prisons for two centuries constitute in their enormities a story of infamy. That the insane were sent to Newgate and other prisons, and not segregated, is another indication of the times.

Nothing could better reveal the prevailing conditions than the fact that Jonathan Wild was for several years contractor under government authority for sending felons to America. He was a scoundrel of unparalleled rascality who today would be called a racketeer on a grand scale. He headed an aggregation of thieves, highwaymen, shoplifters and the like. He organized gangs of confederates in precincts of town and country. As a 'fence' for stolen goods he had one or more warehouses, and a sloop for conveying stolen jewels, plate, rings, watches, banknotes and other valuables to Holland and Flanders where he had an agent. He trained thieves and sold recalcitrants for blood-money at £40 each. For these activities he was hanged at Tyburn on May 24, 1725, aged forty-three. No one has hitherto pointed out that it was he who was one of the early contractors, authorized and paid by the Treasury, to convey felons to the New World. A 19-year-old son, by one of some five wives, was made drunk by crimps and shanghaied to

Virginia. It is said there may be living descendants of Jonathan Wild in Virginia or elsewhere.

The story of convicts sent to the colonies has been pieced together from many sources. Much that happened and many that were sent are missing from the old records. A stray notation of May 17, 1772 in a diary states: "A hundred felons walked from Newgate to Blackfriars, and thence went, in a lighter, on board a ship at Blackwell." But the cumulative evidence of such gleanings has, it is hoped, enabled this scribe to present a veracious picture of this phase of hidden or at least untold American history.

HISTORY does *not* repeat itself. No precise formula can be derived from past events or epochs to postulate or predict similar future events or eras. Historical causation is complex; most occurrences—trifling or tremendous—result from a plexus of complicated influences. No unvarying pattern can be traced from the past that is applicable to forecast the future. The writing of history is not an exact science, but an interpretation.

Despite this fact, that no precise formula of past happenings can unveil the future, there are lessons to be learned from chapters such as are here revealed. Merely to trace these strands of the interwoven panorama of the past would be to neglect their design. What then shall be said concerning the so-called criminal element shunted to early America?

It is trite to say America was a melting pot—an alembic from which the essence of liberties under law was precipitated. The colonial struggle for survival required stamina. The new environment not merely absorbed the large convict element thrust into its midst, but redeemed, if not these transgressors, then their progeny, from the taint of Old World contamina-

tion, and endowed the new generations with the vigor and vision of new horizons and new opportunities. The felons sent did not debase the colonies by their coming; they were themselves transmuted by the chemistry that transforms character by the fresh start of new emprise. The lesson, therefore, is that the real or apparent criminal is not irredeemable; that the hapless victims of a cruel bygone code were given new lease of life, and through their redemption helped to build the new dispensation that destined America for great goals.

Those harsh days of penal exile, debtor's prisons, and cruel executions in Britain gave way to humane treatment of the human offender. And over here the old white term slavery of indentured and convict bondage is forgotten. In both respects, therefore, is seen the sure manifestation that betterment is a constant in human history, and that we may take heart of happier times to come. That derivation, at least, can be garnered from these pages.

CRIMPS AND KIDNAPPING

ABHORRENT was the practice of transporting homeless waifs, starving or incorrigible boys and girls, usually twelve years old and upward, corraled in the streets of London "from the superfluous multitude." These gamins and moppets were to serve as apprentices in Virginia, bound to their masters until the age of majority. A communication from Sir Edwin Sandys to Sir Robert Naunton, the King's secretary, dated January 28, 1620, shows that the children were not always willing to embark. Concerning the hundred to be sent that year, Sir Edwin wrote: "...some of the ill-disposed children, who, under severe masters in Virginia, may be brought to goodness, and of whom the City is especially desirous to be disburdened, declare their unwillingness to go. The city of London wanting authority to deliver, and the Virginia Company of London to transport these children against their will, desire higher authority to get over the difficulty." The Privy Council, as higher authority, approved their sending, and they were sent.

While adults were inveigled, waylaid, or "press-ganged," children, occasionally of ten years or less, were lured by cozeners with such bait as candy or peek-shows.

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Heartless parents sometimes connived with rascally procurers, but usually such crimped chits and gamins were snared by clandestine means. Men and women in seaport towns, as well as in London, earned stray pounds sterling by this nefarious traffic. The children were taken to a den rendezvous until a group had been assembled. They were then sold to shippers who had contracted to send such bantlings overseas for resale by unscrupulous agents to planters. A notable instance that caused much stir (by reason of the lad's family connections) was the kidnapping in 1728 of James Annesley, son and heir of the Earl of Anglesey.

A mid-18th century account was written by Joshua Brown, a Quaker, of the kidnapping and sale of his mother in Scotland when she was about thirteen. With several others aged twelve to fourteen she was forcibly carried on shipboard and transported to Philadelphia. She became a servant to Caleb Pusey, a prominent figure in that city, served out her term, married, and reared a respected family.

The authorities condoned these flagrant practices, not content with the sending of felons, vagrants and paupers. In a letter dated Christ Church, August 18, 1627, from the Rev. Joseph Mead to Sir Martin Stuteville, one of the London Company, it is said: "There are many ships now going to Virginia, and with them, some fourteen or fifteen hundred children, which they have gathered up in divers places." The phrase "gathered up" was a euphemism for the blunter term snared or "kidnapped."¹

Bristol was long notorious for kidnapping and traffic in convict transport. Human cargoes for the so-called West Indies—anywhere from New England to Jamaica—were lucrative chattels. The destination was sometimes left to the shipmaster, or the Bristol factors decided on what they deemed the best

American market, whatever the port. We are told that "widows and orphans the government shipped wholesale to the West Indies—the boys for slaves—the women and girls for mistresses to the English sugar planters." Bristol merchants sent agents to Ireland armed with orders to wardens of jails and workhouses to deliver up "boys of an age to labor and women who were marriageable, or not past breeding."²

In this child-snatching and in the kidnapping of young women there were uncurbed abuses for decades, by blackguards with or without the connivance of the authorities. Thus, Sir Edward Hext, Justice of the Peace of Somersetshire, wrote to the Privy Council in October, 1618:

"Upon complaint that Owen Evans, messenger of the Chamber, had a pretended commission to press maidens to be sent to Virginia and the Bermudas, and received money thereby, a warrant was issued for his apprehension. Evan's undue proceedings bred such terror to the poor maidens that forty have fled from the parish to obscure places, and their parents do not know what has become of them."³

Next month there was another instance, as related by John Chamberlain, Esq., writing the day after the occurrence:

"On November 13 a clerk by the name of Robinson was hung, drawn, and quartered for counterfeiting the great seal, and it was said that 'another course of his was, by virtue of this commission, to take up rich yeomen's daughters, or drive them to compound, to serve his Majesty for breeders in Virginia'."⁴

This practice of *spiriting*, as it was called, grew to large proportions. A study of white servitude in colonial Virginia states: "Bristol and London were centers of this traffic. Throughout London and the parishes of Middlesex county its agents called 'spirits,' were distributed—men and women, yeo-

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men, tradesmen, doctors, and a class of rogues and idlers who earned a livelihood by this means. The ladies of the court, and even the mayor of Bristol, were not above suspicion of profiting by this lucrative business. All manner of pretences were used to decoy the victims aboard ships or to places where they could be restrained and forcibly conveyed on board."⁵

Bridewell, prison for dissolute men and loose women, was already half a century old, and fetid, when in January, 1620, the 70-ton *Dutie*, under Captain John Dameron, sailed for Virginia with fifty-one transported persons, all of whom had been inmates of, or were held for shipment in, that foul gaol. That there were young women among them in this as well as in another voyage of the *Dutie* may be indicated by a collateral reference. For in 1622, in a letter of the Governor and Council of Virginia to the London Company we read: . . . "of makeinge upp the somme expended for the Duetie boys and the maides wee will do our best yt they who had them may make you Satisfactions." This had reference to the pauper and homeless boys and girls picked up in squalid London areas, who were detained in Bridewell pending shipment. One hundred such waifs were sent in 1619, and another hundred in 1620, "save such as dyed on the waie." Some years later there was another petition for a further supply of "friendless boyes and girles."

The Company Minutes of October 20, 1619, specified "dissolute persons," without indicating sex, as also sent. Minutes of February 2, 1620, provided that boys, bound as apprentices, should receive fifty acres in Virginia at the age of twenty-one; girls at twenty-one or at marriage if younger. But the acreage accorded was remote from the settlement and of picayune value. A typical Company deception, this wilderness concession was seldom taken up because of danger of Indian attack.

The royal decree, causing the transport in 1619, of the first

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contingent of divers idle young people "who had been twice punished but not reformed," came close upon the King's order that the London Company should at once ship fifty "dissolute" persons. The Lord Mayor was informed by the Privy Council that the ills and plagues of the City were caused by the swarm of poor in the streets of the slum districts. The Warrant of January 28, 1620 for transporting one hundred minors was obtained from the Secretary of State, Sir Robert Naunton, by Sir Edwin Sandys, at the instance of the Lord Mayor. The City contributed £400 to rid itself of them. Children and adults alike were deportees of whom the London authorities "were desirous to be disburdened." Sandys wrote to Naunton on the above date that those children sent "out of the superfluous multitude" might in Virginia "under severe masters be brought to goodness."

It was not until 1670, more than a half century later than the note of Sir Edward Hext we have cited, that this practice of forcibly transporting adults and children was prohibited, *but not ended*, by Act of Parliament. We quote at some length from William Noel Sainsbury's Preface to the *British Calendar of Colonial State Papers*, which he edited:

"The 'wicked custom' of seducing, or, as it was popularly called, of spiriting away young people to go as servants [indentured bondage] to the Plantations was much resorted to and loudly complained of. A thriving trade was driven by these spirits, who by fraud or violence sent over servants and others [shanghaied artisans]. Petitions were presented to Charles II and his Council from merchants and planters as well as masters of ships against this custom... Sir Heneage Finch, the Attorney-General to whom these petitions were referred, reported that the mischiefs complained of were very frequent, there being scarce any voyage to the Plantations but

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some were carried away against their wills or pretended to be and so run away.”⁶

But this is not all, as the following reveals:

“About the same time proposals were made...for constituting an office for transporting thence vagrants, rogues, and idle persons, felons, vagabonds, gipsies, and loose persons ‘who remain here noxious and unprofitable.’ Upon these proposals a Committee of the Council reported, and, like Sir Heneage Finch, recommended, that an Act of Parliament be passed.”

It was several years later, however, when on March 18, 1670, the Act was passed, vainly seeking to curb kidnappers. Sometimes stolen children were rescued by frantic parents who pursued a ship down the Thames, overtook the vessel and paid the shipmaster a substantial ransom. In 1660 the Lord Mayor and Alderman had petitioned the Privy Council to permit official searchers to board ships outward bound for the Plantations, and this had been granted.

The Act of 1670 was not due to commiseration, but rather to the occasional abduction of those of social station, and to annoyance at the swindling that grew up in the traffic. Some pretended they had been abducted and sought to mulct the contractual instigators of their transportation. Unscrupulous procurers were themselves occasionally duped. It now became a practice for riffraff to submit to impressment so as to secure support until the vessel was ready to sail, than to set up a cry, alleging forcible detention when, under the Act, government searchers came aboard. Shunted ashore they were satisfied to have received gratis food and lodging for a time.

But men, women, and children continued to be shanghaied by undercover methods. Even the extreme death penalty did not cause abductions to cease. A decade after this Act became a law, many were still annually spirited away from the king-

dom by the wiles of kidnappers. The black annals of crimping have never been fully told. Naturally, with this clandestine traffic went spurious certificates and forged affidavits which scribes readily furnished to contractors for a fee.

One of the kidnapped who recounted his experiences in a book was Peter Williams of Aberdeen. Eventually returning to England he sued the authorities of his home town as well as his alleged abductors, and wrote *The Life and Adventures of Peter Williams* (Liverpool, 1807). Another instance was that of George Eskridge, in later life long a member of the Virginia House of Burgesses, and legal guardian of George Washington's mother.⁷ He was said to have been kidnapped in Britain and sold in Virginia. Such happenings were seized upon by the novelists, from Smollett and Richardson to Scott and Stevenson, and woven into plots having to do with forced transport to the colonies.

The tobacco colonies seem to have been remiss in affording court redress for such kidnapping cases as were infrequently brought to the bar. In colonies to the north, repugnance to the practice was manifest. Such appeals occurred in several of the colonies, though rarely, for the actual abductors were overseas beyond apprehension, while the shipmasters were merely accomplices. In Essex County, Massachusetts, as early as 1661, two Irish lads, William Downing and Philip Welch, pleaded through counsel that they had been forcibly brought out of Ireland by the shipmaster and sold into seven years' servitude.

With kidnapping a condoned custom, only unusual circumstances brought cases to colonial courts. Thus, in Philadelphia in 1753, on Ann Dempsey's petition, the Quarter Sessions freed the girl from her indenture when she proved she had been

brought from Ireland against her consent, and cruelly used on the voyage.

An instance is recounted of how a boy six years old was kidnapped in England by a sea-captain and sold in America where, grown to manhood, he married his master's daughter and became his father-in-law's heir. He never succeeded in finding his parents. Later in life he bought the sea-captain (now a convict). The latter, fearful of vengeance, killed himself the first day.

In the shipment of those sentenced to deportation there were usually ostensible 'orders' to render the traffic quasi-official, but abuses were numerous. A case in point follows:

As a result of uprisings in Scotland, thousands of youthful Scotch prisoners-of-war were sent to the plantations along the Chesapeake or to Carolina. A batch of thirty-two of these dissidents or so-called rebels, banished for not subscribing to the King's supremacy, were consigned to a ship commanded by Captain James Gibson. While the vessel was at anchor in the Clyde and about to sail, Elizabeth Linning, having relatives among the prisoners, ventured aboard on a farewell visit. She was seized by Captain Gibson's order, but succeeded in escaping to shore while those set to watch her were asleep. Whereupon Gibson sent ashore, recaptured her, and carried her to Carolina with intent to sell her.

She seems to have been a person of determination, however, her spirit unbroken by the cruelties of the voyage, for immediately upon the arrival of the ship she found an opportunity of appealing to the Governor. Informed of the circumstance, the Governor summoned Gibson before him and his council. Interrogated as to her abduction and dissatisfied with Gibson's evasions, the following order was promulgated:

"At a council held at Charles Town, October of 1684, upon the reading of the petition of Eliz. Linning against Capt. James Gibson, commander of the *Carolina*, merchant, in full council, it was ordered as follows: Whereas upon the confession of Capt. Gibson that the within-written Eliz. Linning was, without her consent, brought to this Province by force and by a pretended order from Lieut.-Col. Windrim, but the said Gibson producing none, it was ordered that the said Eliz. be set at liberty as a free woman."⁸

This was an exceptional case. Nearly always such abducted women were mere browbeaten clods, mute in face of misfortune; or the shipmasters resorted to those petty officials who for a paltry fee could readily forge a terse commitment.

Kidnapping grew into a sinister branch of commerce, abetted by the venality of the authorities. Impressment by the Crown for the royal navy had dulled any sense of guilt at this infamous trade; for press-gangs shanghaied wastrels for His Majesty's naval service, and at times gaols recruited the army. Unscrupulous men of means risked capital in this traffic which consigned purloined boys and girls as well as adults to be vended at colonial marts from Boston to Williamsburg. In Great Britain and Ireland gangs roamed the countryside and carried off stray dolts and ragamuffins from isolated cottages. Fearful villagers locked their children indoors at nightfall. As an illicit counterpart of the indenture system such abductions dwindled only with the opening of the American Revolution. Meantime, during more than a century, aided by a rout of low-lives, some so-called merchants on both sides of the Atlantic had profited by this human bootlegging.⁹

The inception and acceleration of this 17th century undercover traffic was, of course, due to the insistent demand for labor—servants, artisans, and field-hands—a need that came

in urgent petitions and missives by every ship from the sea-board, and from West Indian planters. Free-willers and indentured, deported convicts and felons, banished rebel prisoners-of-war, religious dissenters, and kidnapped victims were together inadequate to meet the growing need. Hence, lesser officialdom of the mother country, seeking to supply these remote dependencies at the behest of higher authorities, not only condoned kidnapping, but connived in illicit confraternity with those who drove the 'spirits' to their foul work. England, on the one hand, sought by legal means to check the shanghai system, which was at its worst from 1640 to 1660; on the other, the incessant requirements of her colonies for labor largely nullified these seeming restraints.

An inkling of then prevailing conditions in England may be gleaned from the *Records of Middlesex County* which under the head of 'Spiriting' list seventy-three cases brought to trial in the span 1625-1701, with both offenders and victims about equally divided as to sex. But the number of kidnappers apprehended and brought to trial was few compared with those who avoided arrest. Moreover, this list of cases tried was from the records of one English county only, with lacunæ of missing years in the above period.

These *Middlesex County Records* afford proof of the leniency of punishment accorded convicted kidnappers at a time when dire penalty or death was meted out for most crimes and misdemeanors. Usually a small fine, a few hours in the pillory, or a short gaol term betokened what the editor of the *Records* indicates as the "general indifference of society at large to the doings of these odious kidnappers and to the sufferings of their victims."¹⁰

Thus, in 1680, Ann Servant, a female 'spirit', assaulted Alice Flax, young spinster, and conveyed her to a ship which took

her to Virginia where she was sold for the profit of the culprit. For this, Ann was subsequently brought to trial and, when placed in the dock, confessed. She was fined 13s. 4d. "for having stolen a woman of her own country and selling her into bondage."

Again, one of twenty-eight such tried cases in a score years, of whom fourteen victims were women, was that of two defendants, one of them female, who in 1684 kidnapped a 16-year-old girl and were fined 12d. and committed to gaol until the fine should be paid.

There are entries of summons or recognizances with no subsequent trial. Thus in 1658 Anne Gray is summoned for the next Middlesex Session "to answer what shall be objected against her by Gyles Cox, Constable of Wappin in parish of Whitechapel, for living idly and out of service, and for spirit-ing one Bonny, a maid of sixteen years, and for going with her yesterday on board of Captain Fox, his ship lying at Bugbie's Hole, bound for Virginia."

An earlier Middlesex County entry of 1655 states that Dorothy Perkins accuses Christian Chacrett, alias Sacrett, "for a Spirit, one that taketh up men and women and children and sells them on a ship to be conveyed beyond the sea, having entised and inveagled one Edward Furnifull and Anne his wife with her infant to the waterside and put them aboard the ship *Planter* to be conveyed to Virginia."

The incomplete *Records* of this one English county reveal, as pointed out by the editor thereof, that the kidnappers who received even minor punishment were only a small minority of these who pursued this traffic. Most escaped detection. Moreover, he declares it questionable "whether one out of every twenty persons taken on board outbound vessels by the wily kidnappers was so fortunate as to escape transporta-

tion. Of the grown men and women who were taken against their will to western plantations, few lived to return to England in time to discover their captors and put them in the dock at the Old Bailey."¹¹

Sometimes innocent women were accused. Thus in 1646 William Graunt, weaver, having "raised a rout in a public thoroughfare" by accusing Margaret Emmerson, was held to answer "for assaulting and pumping [belaboring] her upon the false report of being a spirit or an inticer of children from their parents, there being no charge or accusation against her."

Most significant is the fact that in these *Middlesex County Records*, as presumably in those of several other counties of England, many indictments against kidnappers did not come to trial. Concerning this the editor of the *Records* stated in 1892:

"From the remarkable absence of annotations touching verdicts and sentence it may be inferred that the kidnappers charged by these indictments were not tried for the offences of which they were accused, but were allowed by the Court to appease and compensate their prosecutors with payment of money. In like manner one may assume that in passing the lenient and even laughably trivial sentences, judges had regard to the pecuniary compositions made between the doers and sufferers of wrong."¹²

Though familiar with these extant *Records* of one county, the Middlesex editor is wary of venturing an estimate of the number of persons spirited away, since some years are missing. With caution he avers the surviving records "are sufficiently numerous to justify a confident opinion that the individuals of both sexes, taken in that period from this metropolitan county to our transatlantic colonies by the kidnappers and their confederates were a considerable number."

Based on available data (which is fragmentary for other

counties), and on the evidence of stray colonial allusions, it may be conjectured that during the span of more than a century when children, apprentices, and adults, were so enticed or forcibly abducted, the total number of kidnappings doubtless exceeded 10,000, and may well have been twice as many. In these decades of sparse colonial population, this aggregate represented no inconsiderable accession. Definitely, many of the women and girls in this category (apart from the deportation of colleens by Cromwell or of female convicts) became the mothers of early colonial families whose descendants are numerous today.

Beard and Bagley in 1920 in a summation of the system of involuntary white deportation wrote:

"Among those who came against their will were numbers of men and women, boys and girls, kidnapped in the streets of the cities or sold by merciless relatives. It was estimated that no fewer than ten thousand were carried off in one year from England alone. Shiploads of artisans, weavers, blacksmiths, carpenters were taken in this manner, and thousands of poor girls were dragged to America to be sold as wives to the colonists or as household drudges."¹³

But no credence can be given the allegation that ten thousand were spirited out in one year. That statement was first made by Morgan Godwyn, a onetime rector in Virginia, in a tract published in 1680, and is the basis for the above estimate for one year. The system was egregious even if the number *kidnapped* was only ten thousand in the aggregate over a period of years. That the total of browbeaten indentured transportees, convicts, and *kidnapped* may have *together* exceeded ten thousand in certain years is not improbable, notably in the span of the Cromwellian ravishment of Ireland.

Throughout the colonial period those charged with the

direct handling of transportation were, by modern standards, largely disreputable, as part of an iniquitous system condoned by the authorities. Merchant contractors and ship captains were alike compelled to convey humans under these conditions.

Abbot Emerson Smith in 1947 pointed out: "Kidnappers and spirits instead of being deplorable outlaws in the servant trade were the faithful and indispensable adjuncts of its most respected merchants." But many spirits did their nefarious traffic independent of contractors or merchants, and dealt directly with sea-captains or others. Hundreds were so shanghaied, enticed, or decoyed.¹⁴

Apart from persons who went of their own free will, to serve under indenture, and apart from persons forcibly transported as felons, or those kidnapped by spirits, there was a group of absconders of divers sort.

Thus, the mayor of Bristol wrote in 1662:

"Among those who repair to Bristol from all parts to be transported for servants to his Majesty's plantations beyond seas, some are husbands that have forsaken their wives, others wives who have abandoned their husbands; some are children and apprentices run away from their parents and masters. Oftentimes unwary and credulous persons have been tempted on board by men-stealers, and many that have been pursued by hue-and-cry for robberies, burglaries, or breaking prison, do thereby escape the prosecution of law and justice."¹⁵

Although felon transportation became a routine recourse from 1718 onward, banishment out of the realm, of rogues, vagabonds, waifs, and dissolute persons, had prevailed from 1619. By mid-17th century the crimping of unwary persons by spirits had taken on the proportions of an open and professed occupation. In several slum sections of London, and

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in disreputable waterfronts of Bristol and other ports, there were hideaways used as depots where kidnappers brought their victims until these could be conveyed to a ship about to depart. In his superb study of colonial bondage, Abbot Emerson Smith wrote in summary of the kidnapping aspect of the British era:

"A much larger proportion of our colonial population than is generally supposed, found itself on American soil because of the wheedlings, deceptions, misrepresentations and other devices of the 'spirits'." ¹⁶

JOHN LAW RAIDS THE UNDERWORLD

JOHN LAW—whose grasp encompassed even the Mint in France as a concession—had obligated himself to colonize French Louisiana with a stipulated number of humans within a fixed time. To accomplish this his agents spared no violence in kidnapping city scourgings and unsophisticated peasants. Vagrants, beggars, disorderly soldiers, galley-slaves, gipsies, paupers, prostitutes, political suspects, black sheep of good families, felons, were herded afoot or in carts under vigilant guard to a seaport and crowded aboard a ship in cramped quarters to fill up the then vast void of Louisiana. (The Louisiana Purchase a century later comprised thirteen of our present States.)

Kidnapping for Louisiana was at its most execrable stage under the 1717 grant to this fantastic promoter, Law, until the Regency in an edict, after six years of flagrant highbinding, made a pretense of ending the epoch. The previous incumbent, Crozat, finding that premature exploitation of the colony drained royal resources, had resigned his power after five years, and Law's Western Company, afterwards the great Company of the Indies, took over the French colonial expanse, and retained its grant, after Law's downfall, until

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1731, at which time administration reverted to the Crown.

Meantime, numbers of innocent or respectable persons were shanghaied without the least redress under the vicious set-up. As was well said: "A purse of gold slipped into the hand, a whisper in the ear, went a great way to get rid of obnoxious persons, and many a fearful tale of revenge, of hatred, or of cupidity, might be told of persons who were unsuspectedly seized and carried away to the banks of the Mississippi...hurried away with the promiscuous herd of thieves, prostitutes, vagabonds, and all sorts of wretches of bad fame who had been swept together, to be transported."¹

Jails and hospitals were ransacked to recruit the processions of these wastrel deportees as, under the eyes of the soldiery, they trudged toward Havre or Rochelle, sleeping in ditches on the way, bound for the malarious swamps and torpid bayous, the pests and peonage of the Gulf colony.

It is difficult for us in this day and age to credit the iniquities of the system under which John Law sought to people Louisiana by fair means and foul. There were decent folk among the dregs in the colony as is shown by the fact of occasional remonstrance in missives, concerning the prostitutes, infected with disease, sent out to the swampy coast as prospective wives.

Law diverted a convoy of female convicts previously destined for Guiana, and they departed for his Gulf concession, February 20th, 1719, from Rochefort. Here is a description:

"The contingent comprised—beyond such small-fry as a few drunkards, confirmed blasphemers, dangerous intriguers and procuress—chiefly murderesses, prostitutes, thieves, knife experts, and female criminals branded on the shoulder with the *fleur-de-lys*, associates of coiners or of the bands of

brigands infesting the forest of St. Germain. The herd screamed, scratched the faces of the soldiers in charge of them and some escaped among the fields along the way.”² Law’s hirelings searched the gaols and bagnios for others.

We hear of lieutenant of police Machault, on June 27, 1719, arresting at the behest of the Company an aggregation of 209 girls who were forcibly put in detention and who were of a character to be sent to the French settlement in Louisiana. It sufficed that they were ordered deported “aux isles” as it was vaguely stipulated, meaning Louisiana and the Antilles, or elsewhere in the lands beyond the sea.

Under John Law the Company also expedited, to Louisiana, drabs who had been hastily married in abrupt nuptials with riffraff of their own kind recruited from all the prisons of Paris. Thus, on September 18, 1719, 180 females had been herded into marriage at the Church of Saint-Martin-des Champs, the dubious choice being given them to select their mates among a horde of male prisoners from all the dépôts of the capital. They were then coupled by pairs in chains and despatched to the port.

In May, 1719, the Western Company (*Compagnie d’Occident*) was merged with the *Compagnie des Indes*, but the procedure remained unchanged. Later that year a consignment of 150 women at Rochelle, seized with despair at the moment of embarking, attacked the soldiers conducting them, in an hysteria of fisticuffs, clawing and biting. The escort of archers were obliged to draw their weapons at the poor creatures, killing six and wounding a dozen, to intimidate and subdue the outbreak, so that the embarkation might proceed.

A group of ruffian quasi-military police under the thumb of Law scoured the byways and were nicknamed ‘the Mississippi bandits.’ They rounded up at random and raided at

will. A parent desired to be rid of an incorrigible or delinquent offspring. A shopkeeper's wife took covert revenge on a maid-servant who had been lax with the tradesman. A libertine grew tired of a seduced shop-girl; these were easy prey. Some were seized—yokels and simpletons—just for the sport of it; and others in the hope of ransom. There were instances in which exalted personages, including even a Minister of State, had recourse to the connivance of these venal henchmen.

When Law's financial bubble burst he fled to Brussels, but it was not until June, 1721, six months later, that Louisiana learned of the downfall of the crazy system. When, in August, 1717, he had received letters patent to exploit the colony, there had been only four hundred in Louisiana, soldiers included. In the three years' interval, he had caused nearly 7,500 unfortunates to be sent to the Mississippi delta. Journalists in his pay had painted the new land as an Eldorado, for he was obliged by the terms of his grant to shunt 6,000 whites and 3,000 blacks into the region during the period of his concession. Vessels of small tonnage were given over to the enterprise, and more than once incompetent navigators lost their bearings. Under the goad of the insatiable Scotchman these packed craft (the *Rénommée*, *Comte de Toulouse*, *Badine*, *Maire*, *Chameau*, *Gironde*, *Duchesse de Noailles*, *Dromédaire*) made the racking perilous voyage once a year with their human flotsam.

Even in 1720—more than two decades after Iberville had planted his first fort on the shore skirting Biloxi Bay—there was little exact knowledge of conditions in the vast expanse, and fabulous tales were bandied about in France. False and glowing reports of an enchanting land were spread by the propaganda of Law, tributes to French enterprise, such as

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the legend that squads of Natchez squaws were busy weaving silk in a veritable forest Arcadia!

Law's Company was itself inveigled. It authorized the adventurer Venyard de Bourmont to exploit the Missouri region, which the latter had declared—having dwelt twelve years among the tribes there—was a fabulous land, with chieftains who wore ruby-studded plaques of gold and other ornaments fashioned from the yield of mines that were rich with gems and precious metal. Nothing was too extravagant to be believed. Gold ingots were displayed in Paris by Law's Company as coming from Louisiana. Old maps were doctored or re-issued to mark west of the Mississippi as: "This region full of mines." Mexican silver, 'planted' in the upper reaches of the Mississippi, was 'discovered' to enhance speculation in the shares of the Company.

There was no time during which dissension did not seethe in the desolate French colony. Feuds and rivalry among the officers balked enterprise; at no period was the leadership united on questions of policy. It was a race with the English to control and finally possess this empire of the wilderness stretching from the St. Lawrence to the Gulf, and from the Alleghanies westward to unknown limits. Louisiana itself reached northward to the deep winter snows of the Lake of the Woods and vaguely west to the barrier of the Rockies.

Iberville and Bienville were Canadian-born, as were the voyageurs or *coureurs de bois*, sent from Quebec and inured to waterways; for this was a land where, for years, batteaux and pirogues afforded almost the sole method of journey. Those born and bred in Canada had little liking for the French-born, and the latter regarded as beneath them these self-reliant ones of the New World, who were disdainfully termed 'the Canadian clique.' Rumors, rivalry, and feuds

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filled the days. The Mississippi "was all ears and a great gossip." For a thousand miles northward along its flow, word went through the upper reaches that brides were coming and that bachelors on the scene of advent would have prime choice or draw lots to have first pick.

For in the summer of 1720 the *Maire* was coming, with some hussies and others, mostly bagged in raids, with a few women of gentility in the toils for one reason or another, and probably heart-sick or body-sick. This same ship the previous season had brought a cargo of blacks from the Guinea coast—a sweet-smelling hulk for the brides! But these poor frumps and baggages endured the worst, thinking they were bound for the Fortunate Isles.

Landing conditions were chaotic. Vessels at this time came to Ship Island near Biloxi, as nearer the shifted headquarters on the mainland than Dauphin Island, near Mobile, where moorings had been made in previous years. It was a desolate place, but had a pond of fresh water where the shipworn lot could drink and the vessel have its casks refilled. With poor anchorage and makeshift raft lighters, there was unbelievable confusion in unloading. The men in the few palmetto-roofed huts at New Orleans or in the backwoods cursed their luck in not being allowed to come to the scene. Those who could, rowed or paddled out in their pirogues and other craft, eager and woman-hungry, to barren Ship Island. The herded women smelt of bilge and were designated for different concessions before being conveyed to the mainland. Pendexter in his historical novel, *The Wife-Ship Woman*, has them exclaim of the horn-mad men, "They swim out to meet us"—and that was doubtless figuratively true, even if some ten nautical miles to the settlement!

The sea-weary drabs were parceled out—to Biloxi, Pasca-

goula, Baton-Rouge, Natchez. Distant Yazoo, Cannes Brulées, Black River, got one or two. But it might take weary weeks to reach the more remote of these wilderness French outposts such as that at Arkansas. The question in all minds was, had the Company of the Indies heeded Bienville's advice to cease sending wantons and harpies across the seas. But the women might have answered that most of the Frenchmen were a spindling lot, while those more robust seemed rather unkempt churls. And so the unloading went on. The cargo and humans were transferred to swaying barges or leaky feluccas that approached the shore in the broiling sun. But there were no mainland facilities for landing, and as in previous years crude batteaux or lorries with large wheels were pushed out over the sand into the water to take the barrels and bales and human freight. Heat and a delirium of inefficiency! Haste, before nightfall miasma and mosquitoes. Upsets and up to the waist in water. No roads, no conveyances, no shade, not even a dream of ice, or disinfectant, or cool stone walls, or sanitation.

Bienville, able younger brother of Iberville, had as one of his first acts projected New Orleans at its present site in 1718 with a meager garrison in rude barracks. Under the goading drive of John Law, seven ships reached Louisiana that year, eleven the next. Though Bienville kept the colony alive, it was a sorry affair, and New Orleans is described by Charlevoix in 1721 as consisting of a hundred miserable hovels clustered within swampy environs filled with reptiles and stagnant stench. Yet, the year after, this puny settlement was made the capital of the vast stretch of Louisiana, extending northward to the headwaters of the Mississippi; and 600 denizens were there by 1728.

Under such conditions were latterly dumped the human

cargoes of nondescripts. And there the expanse rolled into the unconquered wilderness, marked by a few outposts, with straggling French soldiery on the Gulf—shabby arquebusiers, whom Bienville and subsequent governors described as riff-raff unfit for the perils of imperial contest to win and hold the hinterland. The earliest were a miserable lot—undersized, emaciated, scorbutic, some lame and one blind. Only the French Canadians were upstanding and stalwart.

Animosity flared between Cadillac and Bienville over questions of policy, and reached an impasse when the latter declined to marry the daughter of Cadillac, who had set her net for him. This affront from a 'Canadian' incensed Cadillac, though Bienville declared he intended never to marry, and kept his word.

The years passed with bickering rather than building. The *Curé de La Vente*, with frenzies of denunciation, incessantly added to the mischief. About 1715 this cleric had been insistent that two wanton women who had lately arrived should be expelled. But Governor Cadillac, who usually sided with the priest, was obdurate, and, recounting the broil in a dispatch, he wrote home to the Ministry:

"I have refused to do so, because if I sent away all women of loose habits, there would be no females left, and this would not meet the views of the government." An enlightening admission! Whereto he adds this ironic touch:

"Moreover, one of the girls occupies the position of servant in the household of the King's commissary, who will no doubt reclaim her from her vicious propensities."³ This doubtful damsel was, perhaps, a real incarnation of the romanticized *Manon Lescaut*.

Cadillac was no doubt well-informed when he declared that if he sent away all women of easy virtue there would be no

females left! Indeed, the Ursulines found it necessary to have a house of detention (as soon as a crude hospital), where the reformation of such women was zealously sought. But thirteen years later, the nun, Marie Magdeleine Hachard, in a letter to her father in France tells of "corporal punishment for girls of bad life."

Rather pathetic must have been the attempts of the good Sisters to instruct the utterly primitive Negro and Indian women of the vicinity. Two hours of daily tutelage was so dispensed to such of the black and red sisterhood as would submit. Sister Magdeleine was aghast at the benighted spiritual state disclosed even among some of the white girls. She states they were often married at twelve or thirteen, some of them "not even knowing how many gods there are—and you can imagine the rest."

The first sending of conscripted women occurred in December, 1712, when, under Soeur Antoine Crozat the first ship, the *Baron de la Fauche*, conveyed the newly appointed Governor of the colony, M. de la Motte Cadillac, his wife, the troop commander Blondel, the clerk Maleffoe, and twelve girls recruited from the poor families of the seaport of Lorient.

In 1712, when the Louisiana colony had been turned over to Crozat, and Cadillac came, a so-called census was taken of the scattered entire population from Mobile to the outpost at Natchez, totaling only 324 men. In 1722 the capital was moved from New Biloxi to New Orleans. A swathe had been cut where previously were only barracks in the dense palmettos, and a cluster of rude shelters had sprung up. These were built with a framework of split cypress logs, the interstices plugged with mud mixed with Spanish moss. They were white-washed inside and out, and ditches outside for alleged drainage led to a moat.

Yet to this settlement in 1722 and thereabouts came some delicately reared persons of quality, deported by the Regency (of the Duke of Orleans) or to escape the Bastille. These elegants were utterly lost in the rude environment. A few well-born women came to join husbands or lovers already there. Forgotten romance was here too. One aristocrat was sent over because he "took a girl from the archer's hands"—the archers those minions of the law who corraled the poor and wicked in Paris.

Of those of higher rank in the throng, most had been victims of *lettres de cachet*. The issuance of these at the hands of the monarch had originally been intended to preserve the honor of families. A husband might obtain one to imprison a suspected wife; a father to prevent the marriage of a daughter beneath her station. They were the exclusive privilege of the king, were kept secret, and were numerous during this period. The accused were never tried, and the accuser, if he could prevail upon the king, secured the right of administration of the property that might be involved. Under such a system iniquities abounded. From prison most of these victims of family feuds, paternal disfavor, erring ways, welcomed deportation; or if a ship was about to depart they were shoved aboard without ado—friendless among the rout and rabble.

Midway of the Regency, during the three years of the Mississippi Bubble, Paris was drunk with the financial schemes of John Law at his zenith. The Regent—prince of libertines in a city then with more mistresses than wives—led the list of the licentious and brought the downfall of the system with his printing-press money. The bubble burst the last days of 1720 and Law fled.

Since it is natural for men to put the best face on their

own endeavors, and to extenuate their own shortcomings, the early records of Louisiana's settlement would be laudatory but for one fact: dissension among the leaders that lead to recrimination. Amid these charges and countercharges research must pick its way. The revealing dispatches and letters are preserved in the Archives.

In 1724 the fancied or real grievances of the several officers with whom Bienville had clashed produced his downfall. In February of that year he was recalled to France. Bénard de la Harpe (who the year before had returned to France after five years in the colony) came to Bienville's rescue in a memorial addressed to the monarch far from the scene of intrigue and primitive difficulties. The Company itself, declared La Harpe, had hampered the enterprise from its inception in that it had "begun by sending over convicts, vagrants, and degraded girls." His intercession was of no avail, but for our purpose it serves to confirm that the calibre of the women sent at the outset was not high. (Curiously, this memorial of La Harpe was first published in 1831, and in English in 1851.)

In May 1719, *L'Union* had sailed for Louisiana, bringing among others twenty-one 'vagabonds' from Paris and Rennes. The sending of off-scourings continued until about 1722. It was an easy way for France to rid herself of undesirables. As to the females, they were not only frail ladies in the sense of women of the demi-monde, but also and preponderantly women of low social station and small cultural background, unfortunates in a word, lacking influence to save them from the fate of deportation. The matter is thus succinctly put:

"New Orleans also had its quota of prostitutes sent over from Paris together with vagrants. Once landed they were immediately married off, given land and expected to turn

instantly into good farm-wives. But destiny was against the scheme. Many died of want, some of misery, and a fortunate few managed to make their way back to France...once more back in their bordelloes."⁴

That this was not too strongly couched is confirmed from other quarters. Parkman, who points out that a royal decree in 1721 sought to end the sending of vagabonds or criminals, adds that "the edict it seems, touched only one sex, for the next year [January 5, 1722] eighty girls were sent to the colony from the house of correction called the Salpêtrière."

To round out our picture of the presumptive bride convoys we must include a fragment of a letter quoted by Gayarré from the archives of the old French ministry. Written by the commissary, Michel de Chassin, from Louisiana, July 1, 1722, it has a facetious tone rare in epistles to a Minister of State:

"You see, Monseigneur, that nothing is lacking now to make a substantial settlement in Louisiana but a certain piece of furniture which one often repents having got, and with which I shall dispense, like the rest, until the Company sends us girls who have at least some show of virtue. If there chances to be any young woman of your acquaintance who wants to make the voyage for love of me, I should be much obliged to her, and would do my best to show her my gratitude."⁵

Hence, it would seem the constant demand for wives was not altogether gratified by the dubious early contingents sent. Since most were illiterate, there was virtually no correspondence to survive and convey to us the personal touch. But it is significant that, almost a score years after the arrival of the earliest house of correction contingents, the eighty girls sent in 1722 were similarly recruited, and that in the latter year M. de Chassin wrote of the dearth of girls having "at least some show of virtue."

La Harpe in his defense of Bienville cited the low character of the deported *émigrés*. Officials who sought to remain in the good graces of the Company and who were careful not to offend the Church authorities did not dare to mention "degraded girls." Indeed, since some were orphans, reared in asylums, with a modicum of training for housewifery, it was a grab-bag selection, taking one allotment with another, in which the mere male never knew what to expect—except the worst!

In the annals of Pénicaut, who was with the colony of Louisiana from its start until he returned to France in 1722, we read, concerning those who came to be known as the casket girls:

"On the 5th of January, 1721 [old style], the ship *La Baleine* also arrived with a number of passengers, and eighty young women [or eighty-eight] who were sent over at the request of the directors, who thought it was impossible to make a solid establishment without them. They were selected by the bishop from one of the public institutions of Paris, and had been brought up and educated there from their childhood. They were placed by him under the charge of three nuns—Sisters Gertrude, Louise, and Bergere. Each one was provided with a marriage outfit, and was not to marry without the consent of Sister Gertrude. In a short time after their arrival, they were disposed of to good advantage, with a request from the colonists that the Company would continue their favors."

On May 25th, *La Baleine* and two other ships sailed for France. Among other passengers on the vessel was Sister Gertrude, "who was so much pleased with finding husbands for so many young women, that she promised those who could not obtain a wife to return soon again on the same mission."

But no more is heard of Sister Gertrude and her worthy

enterprise in behalf of Hymen. Six years later the Company of the Indies arranged with the Ursuline nuns of Paris to send a permanent group of the Order to New Orleans to supervise a charity hospital and establish a convent for the instruction of young women. Their work was laudable, and through their efforts a measure of moral stability was given the crude and insecure colony. Nevertheless, the calibre of the prospective wives sent over under their guidance, and earlier, can only be estimated in the light of the prevailing social conditions among the lower classes of France at the time.

The staid French custom by which the bride brought a dowry—which remained hers—could not be pursued in the beginnings of New France. It was helpmates the Louisiana swains wanted, and the scarcity of women caused the matter of dowries to be put aside for the first half century of the colony's precarious foothold. Louis XIV might well have dowered his brides-to-be with a less meager set-up, but the extravagances of the Versailles crew did not extend to the New World, and his successor was no less shortsighted. Rather it was these colonies that were exploited to fund the excesses of the Court and its titled entourage.

By the leading historian of colonial Mobile, the twenty-three *Pélican* girls are held estimable as the stock from which old Mobilians sprang:

"Among the oddest cargoes ever shipped were those every few years of marriageable girls. There was a famous consignment of twenty-three by the *Pélican* in 1704, and the first after the removal [in 1710 the site of Fort Louis was moved] was probably that of 1712. The *Pélican* girls have been remembered for their revolt against cornbread, which was new to them, but they should be remembered as the women whose husbands and children founded Mobile."⁶

JOHN LAW RAIDS THE UNDERWORLD

No invidious touch is countenanced by that historian as to the antecedents of Mobile. Our bracketed dates following evince his confusion:

"It is pleasant to know that whatever was the case after John Law undertook to boom Louisiana [1717 and thereafter], the women brought while Mobile was the capital [until 1720] were uniformly of good character and founded honored families. There was no Manon Lescaut among them, of dubious if romantic story, and the best people could look back with pride to their Mobile origin." We are given the further sop: "The social morality of that day was high, for the Regency [1715-23] had not yet come, and the Court of Louis XIV had become sedate under Madame de Maintenon."

Contrast this with Gayarré's sweeping statement, *including* the years Mobile was the capital: "In the beginning of 1728 [really 1721/2] there came a vessel of the Company with a considerable number of young girls, who had not been taken, like their predecessors, from houses of correction." Could those precedent "correction girls" have been "uniformly of good character?"

The tendency of those who would gloss over the low moral quality of some of the involuntary *émigrés*, perhaps imputing minor shortcomings to the earlier arrivals and none such to the later ones, is gainsaid by the antecedents of the deportees. Nondescripts continued to come a quarter century after the first consignments of homeless vagrants and prison habitués. Many a good-for-nothing minx—a *Marie-couche-toi-là*—was among them; many a one who bore the brand of the red iron.

In return for a land grant, John Law agreed to see that 1,500 settlers should come to the tract twelve miles square on the Arkansas River which was one of the Louisiana con-

cessions. Raynal declares of these riffraff that they were "the scum of Europe, which France had, as it were, vomited forth into the New World at the time of Law's system."

The list of *Pélican* girls of 1704 is given by Hamilton "that their names may be honored"—and well may the poetry of this procession be recalled and the stress of their lives remembered with compassion. Privately we have a conviction, the reader may not share, that out of their ardent hearts may have sprung magnolias, or that the chemical constituents of their bones perhaps make more appealing the pastel shades of wistaria in quiet garden closes where in ruder days amid tangled copses they were laid to rest. Dissolved in time is all but the echo of the vocable syllables in this list. We might relegate the simple array to the Bibliographical Notes at the end of these pages; but why after the long lapse of years still accord them such base treatment as they received in their lives? We make amends by here reciting this vestige of their onetime being—a litany of nice young ladies (and may Ananias applaud!).

Here are the flowery names of the *Pélican* contingent:

Françoise Marie Anne de Boisrenaud, Jeanne Catherine de Beranhard, Jeanne Elisabeth Le Pinteux, Marianne Decoudreaux, Marie Noel de Mesnil, Gabrielle Savarit, Genevieve Burel, Marguerite Burel, Marie Therese Brochon, Angelique Brouyn, Marie Briand, Marguerite Tavernier, Elisabeth Deshays, Catherine Christophle, Marie Philippe, Louise Marguerite Housseau, Marie Magdeleine Duanet, Marie Dufresne, Marguerite Guichard, Renée Gilbert, Louis Françoise Lefevre, Gabrielle Bonet, Marie Jeanne Marbé (*conductrice des filles*), and lastly Catherine Tournant, although the "n.p.p." after her name may signify that she did not depart. There was a tradition that one did not marry. The

list of twenty-seven which on September 6, 1704, Bienville says Ducoudray had delivered to him includes Catherine de Montois (*sage femme*), Etienne Burs, and his wife, the matron Marguerite Rosseau (*femme dudit*).⁷

Diligent search for the name of the ship on which the lauded 'casket girls' were supposed to have come in 1728, and for a list of the twenty-three "virtuous maidens" celebrated by all American historians of Louisiana as the precious cargo of this vessel, revealed the voyage and the flawless contingent as *mythical*. The confusion into which Hamilton falls, misled by Gayarré, is not to be wondered at, considering the paucity of records and their contradictory details. It cannot be shown with certainty that there were two consignments of brides in 1704—the first of twenty, the second of twenty-three, though this is likely, and does not lack contemporary evidence.

Much more startling than most such disclosures in cherished annals are the facts *nullifying* the assumed coming of the famous twenty-three from whom local pride derives many of the old families of supposed Creole origin. Hamilton, who gives the names of the twenty-three *Pélican* girls, and names the vessel, does not seem to have been suspicious that the tally was the same for both, that he found no list of the twenty-three assumed to have come a quarter century later, nor of the name of the ship. The error was due, as aforesaid, to Gayarré. This Creole chronicler in his much needed but faulty *History of Louisiana*, with his frequent lack of precision makes the date 1728. He it was who assigned a spotless contingent of *filles à la cassette* to that year by a slip of the pen, and started a fabulous tradition—an error that has been copied and recopied so many times, by Hamilton, Martin, Pickett, Phelps, and a score others, as a fact.

The 'correction girls' and the 'casket girls' were *one and the same*. Review of manuscript authorities seems to prove that the girls from La Salpêtrière who came in the *Baleine* in 1721/2 and are variously declared to have numbered from eighty to ninety-six—were in fact the 'casket girls.'

A favorite regional legend to the contrary is thus quashed. For a century it was the popular whim of lineage and tradition to make a profound distinction between the supposedly two social categories—the impeccable 'casket girls' as well reared, domestic, virtuous forebears of families who harked back to such esteemed beginnings; the other group more or less social outcasts in outer darkness and rejected by pedigree searchers. The legendary bevy of 1728 so extolled as demure with their boxes of raiment and trinkets, and matchless as wives, are apparently a myth. The more numerous contingent of seven years before, recruited from the common herd of the General Hospital were the veritable casket girls. What the inmates of this institution were like may be gathered from Larousse; but there is ample further evidence that they were unfortunates whose sending cannot be romanticized by any stretch of truth. They were merely some of the *more than 1,200 women and girls* sent to the Gulf colony from prison and asylum between 1717 and 1721.

There is no occasion to stigmatize the large covey of kinless girls who came over on *La Baleine*, to root the colony with progeny. The Salpêtrière from which they were drafted was within that vast enclosure on the Seine which held other buildings of the General Hospital. Most of the contingent were, perhaps, "honest orphans," but the locale of their rearing was vile. The institution housed women criminals, as well as debauched, insane, and merely indigent females.

In this prison thousands were indifferently segregated into

one of four groups: the Common Quarter for the dissolute; the Correction, where girls were placed who gave hope of moral redemption; the Prison for those confined by royal order; the Great Prison for habitual women criminals. Among the inmates were also children, many illegitimates or foundlings, who were brought up by the poor women of the institution, and parceled out among them as adopted waifs, "with the same tokens of affection as if these parentless ones were their own children." Also there were many girls and women detained at the Salpêtrière on complaint of their parents or of their husbands, and subjected to the same regimen as the prostitutes and the condemned, though in separate quarters where efforts were made to "bring them back to a good life."

Possibly many of the *Baleine* girls had been housed there from infancy. Charles Le Gac, who was Director of the *Compagnie d'Occident* from 1718 to 1721, tells us in his *Journal* that there were ninety-six of the casket girls, and three nuns, on the vessel, but some of these perhaps came on two small craft that accompanied the *Baleine*. He also chronicles a vessel (perhaps *Le Maire*) which came in 1720 via Havana with thirty-six women, bringing also convicts, flour and tools for Law's concession.

Many of the girls who came on *La Baleine* were married at fourteen, even at twelve, for Sister Madeleine so tells us. The nuns who came with these girls were the second to reach the Louisiana colony. The vessel, commanded by Captain Kerale, reached Old Biloxi on January 5th. During that month and the next, Father Charles de St. Alexis, the Carmelite priest there, married these girls to the men by whom they had been chosen. These marriages were performed where the girls were landed and not at New Orleans. Sister Gertrude acted as witness at the ceremonies, and it is possible the names of

the couples are in the Saint Louis Cathedral Archives at New Orleans. Neither Sister Gertrude nor the two other chaperon nuns ever set foot in New Orleans before their return to France.

Entries in these Archives show that Father J. Richard, a secular priest, who came to Louisiana to be chaplain on the concession of Mme. de Chaumont at Pascagoula in 1721, began as "missionary at Biloxi, performing pastoral functions." Concerning Father Richard's labors much more is known than about any other priest of this period, and his activity is shown by many entries. These begin with a marriage at Biloxi, February 24, 1721. From then on to August he was at Old Biloxi and performed some seventy marriages, most of them for Salpêtrière girls.⁸

Of such were the beginnings on the lower Mississippi and the Gulf coast. In all the peopling of colonial America no phase equalled in degradation the vile span of John Law. Yet it is no idle romanticism to say that virile America had a way of transmuting the generations newly dwelling in this New World. It is no figment to declare there was a redeeming quality in the struggle to gain a foothold. Recognizing that so considerable a proportion of the newcomers in several of the colonies were of the declassed type, it is a fact that their offspring bore no generic stigma, and that despite genealogy their descendants have played as honorable a rôle in the making of America as those whose forebears blazoned coats-of-arms.

Going to the sources, a French scholar has thrown light on the facts as no American historian has done. Pierre Heinrich, who in 1907 published the only intensive study of Louisiana under the *Compagnie des Indes*, also wrote a monograph on the hitherto unassembled data of the period that led to the Abbé Prévost's *Manon Lescaut*, showing the skeletal basis of

fact embellished in the romantic tenor of that tragic tale. His documented presentation in the latter work is based on archives of the Bastille and on lists of women inmates at the Saltpêtrière from 1719 to 1729, as well as on other contemporary sources. Its revelations are of major import, although the brochure was limited to one hundred copies.

Of the composition of the first convoy of 1719 which embarked at Rochefort for the Mississippi delta in the early summer of that year, Heinrich states that one would have searched in vain for a type rivalling the delicate heroine of Prévost. Dejected off-scourings of the prisons of Paris, he terms them—unfortunates whom the government had bestowed on the Company, and of whom most had not the favor of youth and beauty. The failure of these ill-omened endeavors, declares Heinrich, did not lead to the end of the vile system that was not discarded to the very last.

Many were consigned to Mississippi exile from the notorious Bicêtre prison. Two typical lists of prisoners of both sexes designated for deportation from this detention house are gleaned by this authority to give an insight into the odd categories sent. The first comprises 101 detained by *lettres de cachet*, 26 by police sentence, 9 by orders, 3 on criminal sentence, 33 as vagabonds. The second list included 35 by order of the King, 8 by correction, 7 by police sentence, and 18 as mendicants.

In view of the character of most of the women sent to Louisiana, it would seem that good intentions of the officials at the outset could not be maintained. Hence it was rather a wasted caution that when M. du Coudray, commandant of the *Pélican* sailed in the summer of 1704 he was ordered to install his unusual passengers apart on the voyage and to forbid his

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officers any communication with them. The royal behest was emphatic in commanding that nothing on this score should prevent their unassailed arrival.

But a quarter century later the Ursuline nun, Marie Magdeleine Hachard, wrote her father:

"For not only debauchery, but dishonesty and all other vices reign here more than elsewhere. As for the girls of evil life, although they are watched closely and punished severely by putting them on a wooden horse and having them whipped by all of the regiment that guards our city, there are more than enough to fill a refuge."⁹ In a letter written six months before, she likewise referred to these whippings—flagellation that must have had its grotesque aspect!

The following year Father Le Petit reports the nuns planning a hospital to care for the sick "and a house of refuge for women of questionable character."

All social types fraught with human misery were represented among these female felons and *filles de joie* deported in numerous troupes to the colony. In early August, 1719, some 150, who attacked their guards, were sent; on October 8th, 300 more who had been delivered from out the Salpêtrière in thirty crowded carts. On November 10th, another 150 departed. From a statistical report drawn up the *Compagnie des Indes* it is learned that 1,215 women were transported to Louisiana from October, 1717, to May, 1721.¹⁰ What may have been the proportion of prostitutes in this total, says Heinrich, it is difficult to say, but "one can be assured they constituted the great majority."

We are given the names and records of some: Marie Duclos, aged 22, condemned four times for theft, and sentenced the last time to the Châtelet for life imprisonment; Jeanne

Vigneron, counterfeiter and poisoner; Sarah de Visme, confirmed criminal, and others in keeping.¹¹

From the contemporary *Journal* of Jean Buvat we get glimpses of what he witnessed, as when he writes of the above-mentioned group of 300, on the very day they were deported:

"They were taken in thirty carts, filled with these women of little virtue, each of whom had a yellow ribbon bow in her hair, and a like number of young men who wore cockades of the same color in their hats, but who went afoot. The wenches (*donzelles*) in crossing Paris sang as though without care, and hailed passers-by, inviting them to come along on the voyage to the Mississippi."

And again under date of January 2, 1720:

"The prisoners of the priory of Saint-Martin des Champs, to the number of thirty-eight, of both sexes, seized the keys from the gaoler despite his best efforts, and set themselves free, seeking to escape transport to the Mississippi to which most had been condemned."¹²

A modern historian of the port of New Orleans, harking back to these consignments observes that they are usually referred to with casual but ribald comment, whereas their sending reflected what the French government thought of its colonists. "In other words, they were sent what they were thought to deserve."

We know that some of these girls were sent to French outposts in the upper reaches of old Louisiana, but the only reference, so far as known to the writer, concerning those not on the Gulf coast was that of the Jesuit missionary, Father Paul du Poisson, who had been sent up the Mississippi to serve the Arkansas tribe. In a letter dated October 3, 1727, he says of that region:

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"There are in this country people who have no other occupation than that of roving about: Among them the women or girls taken from the hospitals of Paris, or from the Salpêtrière, or other places of equally good repute, who find that the laws of marriage are severe, and the management of a household too irksome. A voyage of 400 leagues [up the river] does not terrify these heroines. I already know of two of them whose adventures would furnish materials for a romance."¹³

In the colony, one M. de La Chaise, the commissioner then in charge, with dictatorial powers, complained bitterly in his first report of the number of worthless women living at the cost of the Company, most of them venereal, causing disorder and communicating their disease to the sailors and others. He proposed as the only remedy to the situation that these women be sent to the nearby savage tribes. In vain was his reiterated advice tendered to rid the colony of women of evil life who were wholly lost. The order of expulsion never came, and the evil continued with ravages particularly grave in Louisiana. This was about 1725.

Many of the unmarried mothers refused to name the fathers of their infants, says Heinrich, and the company was obliged to care for abandoned children. Others resorted to infanticide. It was ordered that girls becoming pregnant should go to the registry office and reveal the name of the father under penalty of bodily punishment. In 1727 it was proposed to establish a maternity retreat, but through indifference of the Company the project was not executed.

Such is the testimony of Pierre Heinrich, based on access to original sources which no American has studied with respect to the French bride-ships. We have stated how historians differ in detail on this phase of colonization, and how scant is the attention of most to this aspect of early settlement. Entire

contingents are cited by him of which no mention is to be found in other authorities we have gleaned covering the general history of New France. His monograph evinces every evidence of careful, documented research.¹⁴

The mortality in early Louisiana was frightful and the picture of the period may be correctly scanned only from the angle of understanding social conditions prevailing at the time. Devastating data of Heinrich cast light on the subject under consideration in a manner unreflected by any other historian. Apparently he alone consulted archival sources, and, moreover, corroboration is not lacking.¹⁵

Though the sending of sporadic groups of girls to Louisiana occurred a century after the English consignments to Virginia, yet little more was known by the French contingents of conditions they had to face than had been known by the maids who reached Jamestown. Even the best informed court officials of France mixed fact with fabulous and foolish notions concerning the vast terrain drained by the Mississippi. Only a handful of men, notably Bienville and his staff, had first-hand knowledge, and of the thousands of human flotsam sent over none knew much of what to expect. All was hearsay. The girls knew they were to get husbands, but other than that they were as vague as if their destination had been the Isles of Bliss or the Realm of Demons—which, was uncertain. Not one of these lowly females was sufficiently literate to record her experiences of the voyage over and subsequent life. They were all too close to stark danger and privation, and, many, too much clods to know whether Louisiana was the other side of Iceland or whether alligator soup would be to their taste.

Prose cannot do justice to the maiden voyage of those bride-ships of yesteryear. And no historian has fleshed the facts with the breath of life. The records are meager, the ecclesiastical

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annals none too explicit. Fiction has for the most part neglected these contingents, native poets passed them by. Yet bride-ships they were—the barks that brought them to strange shores and eager swains.

The Pélican no longer plows
With anxious girls the furrowed seas;
Her valiant oak, their eager vows,
Alike are ghostly memories.

But who shall say that they repined,
When all the olden tale was told,
Or deemed the largess less than kind
That once was theirs to have and hold?

They brought their bodies for the need
Of men who lingered but to roam,
And on their pallets bore a breed
Who called this new-won outpost home.

This far-flung Land of Louis took
In swift embrace these bride-ship maids,
Who in the pages of a book
Now find themselves recalled as jades.

How mirth would move them if they knew,
Two centuries gone, their drama's plot
Should send a searcher for each clue
That might rehearse their lowly lot!

“STOLLEN OUT OF THEYRE BEDDS”

THE STORY of the early Irish consigned to colonial New England and Virginia must be pieced together from stray bits in fragmentary annals. Most engaging is the shadowy account of the ship *Goodfellow* and the four hundred lads and lasses who were ordered sent from Ireland. How many girls there were among them we do not know, but this Boston ship and another hailing from London on which the contingent came were, for that voyage at least, bride-ships. Those sent were adolescents, but the intention of their sending was to help fructify the British overseas possessions.

The first clue is this entry in the *British Calendar of State Papers*:

“Order of Council of State—September 6, 1653: Upon petition of David Selleck, of Boston, New England, merchant for a license for the *Goodfellow*, of Boston, Geo. Dell [or Dalle], master, and the *Providence*, of London, Thos. Swanley, master, to pass to New England and Virginia, where they intend to carry 400 Irish children; directing a warrant to be granted, provided security is given to sail to Ireland, and, within two months, to take in 400 Irish children, and transport them to those Plantations.”

The security was put up, for on October 28 the license was issued for the shipmasters to proceed on their voyage "upon the conditions formerly granted." What happened thenceforth was a blank until the research of Michael J. O'Brien, in his *Pioneer Irish in New England* (1937), and on his findings we now lean heavily.¹ Of the voyage itself we have no word; only an inkling of what befell some of those sent.

Of the *Providence* we know next to nothing; but the larger (though still puny) *Goodfellow*, having taken on an unknown number of lads and lasses at an Irish port, put in at England before her hazardous voyage to colonial America. No ship could sail direct from Ireland for its destination, being required by English law to put in at an English port, get clearance papers, and pay a 'head tax' on every person aboard who was listed for the colonies.

The *Goodfellow* arrived at Marblehead late in January, 1654, and here the master indentured part of his young contingent before sailing for Boston. O'Brien traces entries in county records concerning George Dell's accounts with the merchant owner of his vessel, and rescues the names of nine youths and one girl—Jael Sullivan—among the many who came and were bound out as indentured servants. The meager information concerning these few comes through three centuries to serve as significant indication of how they—and the others like them—took root. These wisps gleaned from old records are all that remains to tell of those young people in a young America.

One of the ten, Edmund Dear, is recorded on March 3rd, 1660, as having married Elizabeth Griffin at Ipswich. Possibly she also came on the *Goodfellow*. Their children, Edward, Thomas, Elizabeth and Mary, were all born in that quaint old town where the parents lived for twenty-two years. Two

years after the father's term of indenture had expired, he bought land nearby, according to a deed dated April 3, 1665. A carpenter by trade, he must have gained respect, for nine years after his marriage the town gave him three acres of timberland, and nine years later he was made a 'commoner' of Ipswich.

That those who came in the *Goodfellow* could speak only Gaelic appears probable from an entry of the Essex County Court concerning one of the youths, which concludes: "...such as doe well understand his language say he owneth his name to be Philip Welsh (Walsh)."

This Philip Welsh, and another of the boys, William Downing, gave trouble to their master, Samuel Symonds, who in 1661 hailed them into court, charging desertion from his service and claiming they had two years more to serve under their indentures. The proceedings are preserved in the printed court records, and pertinent for us is the testimony of John Ring, a witness for the defence who had also come in the *Goodfellow*. His testimony is revealing as the only word that has come down to us from any of those aboard as to how they were taken. We quote:

"This deponent saith that he with divers others were stollen in Ireland by some of ye English soldiers in ye night out of theyre bedds and brought to Mr. Dell's ship, where the boate lay ready to receive them, and in the same way as they went some others they tooke with them against their consents and brought them aboard ye said ship where there were divers others of their countrymen weeping and crying because they were stollen from theyre friends, they all declaring the same, and amongst the rest were these two men, William Downing and Philip Welsh, and there they were kept until upon a Lord's morning ye master set saile."

This glimpse and no more we have. That the girls were likewise "stollen out of theyre bedds" we may surmise from the heartless tenor of the times.

In his own behalf, Symonds offered in evidence a Bill of Sale from the master of the *Goodfellow*, dated May 10, 1654, which stated that George Dell "sould unto Mr. Samuel Symonds two of the Irish youthes" whom Symonds had "brought over by order of the State of England." As the owner's indenture stated the two were bound "to serve him for the space of nine years in consideration of 26 pounds sterling in merchantable corne or live cattle," the jury rendered its verdict for the complainant. Thereupon the youths announced their intention to appeal.

The term of nine years was unusually long; most were bound for six years. Philip Welsh, five years later married Hannah Haggett and settled in Topsfield where he sired six children and became the root of a fifteen-page genealogy (in the *New England Historical and Genealogical Register* for 1869).

John Ring, the above deponent, ten years after he came on the *Goodfellow*, married Mary Bray at Ipswich, and his name is commemorated in Ring's Island, nearby. Himself, a miller, four generations that followed also operated mills at Ipswich and Gloucester.

We are told by a local historian that many of the *Goodfellow* consignment were brought to Ipswich; and we know from the Cromwellian orders in council that all came from the south of Ireland, possibly from the County of Cork alone. No wonder we have lost trace of most of those the master of the vessel sold into temporary bondage. O'Brien says of one of them, Dennis McCormack:

"The case of Dennis McCormack well illustrates the strug-

gles of recording clerks in their efforts to spell Irish names; it was written in York County records at different times in such forms as McCormack, Mackermecke, Cormick, Ackormack, and Occormacke!"

But, more to our inquiry, the only girl we know for certain as having been one of the possibly one hundred or more maidens brought as Irish captives on the *Goodfellow* is Jael Sullivan. She is the lone token of her sisters in exile. The notice of her marriage to William McIntosh was unearthed from the town records of Braintree, Massachusetts, and reads: "William Tosh and Jael Swilivan were married December 7th, 1660, by Major Autherton."

To those of us whose bent toward the historic in American annals is blent with imagination, we submit that the vestiges of this lass—one of few or many brides-to-be aboard the *Goodfellow*—are eloquent of the marital beginnings in this blessed land.

So it is of prime interest to learn that when, a few months after Jael's marriage, a group of Braintree pioneers set out for the Rhode Island coast to colonize Block Island, she and her husband were among the company. As one of the first settlers on that island, he prospered, and was made a freeman there in 1664. Their daughter, Mary, married John Mott at New Shoreham, Block Island, in 1683, and Sarah Tosh married Nathaniel Mott a few years later. There were also decendants in the male line, for we are told that at Block Island down to 1735 there were recorded "the births of twenty-two children bearing the name Tosh."

And so we take leave of Jael and those nameless lasses who were wrested with her from their *Erin mavournin*. The Mott family of Massachusetts became prominent through Nathaniel Mott of Scituate, and in a record of their lineage we read the

stark statement that "Jael Sullivan was evidently one of the shipload of Irish captives sent to New England in 1654", and that "William McIntosh was among the Scotch prisoners shipped to New England by Cromwell in 1651."

The *Goodfellow* was in its way the Irish *Mayflower*, and though they came unwilling, taken in the dead of night, America was the better for their coming. And as William learned to call his bride *acushla*, he must have known that she was the fairest of all those that came upon that ship of exile.

That Irish women and children, as well as rebel Irishmen, were, under Cromwell, forcibly transported to New England and Virginia is little known, nor how intensely their coming was resented in the North because of Puritan prejudice against Catholicism. In October, 1653, the British Council of State ordered Lord Broghill in Cork "to cause search to be made within the County of Cork for all persons of the Irish nation that are rogues, vagabonds, idlers and wanderers, and such as have no means to get their livelihood by labour or otherwise, or such as being able to labour refuse so to do," and that these are to be delivered to Messrs. Leader and David Sellick or their agents, who have been authorized to transport to New England "250 Irish women above the age of twelve and under the age of forty-five years, and also 300 men above the age of twelve and under the age of fifty years." This commitment is confirmed by an order in Council two months later. A license was likewise granted in September to Richard Netherway, of Bristol, "to transport from Ireland to Virginia 100 Irish Tories."

Evidence that New England did not desire such indentured Irish, and spurned them as "known to be rebels and papists" is clear from the Act passed by the General Court of Massachusetts in October of the following year:

"STOLLEN OUT OF THEYRE BEDDS"

"This Court, considering the cruel and malignant spirit that has from time to time been manifest in the Irish nation against this English nation, do hereby declare their prohibition of bringing any Irish, men, women or children, into this jurisdiction, on the penalty of £50 sterling to each inhabitant who shall buy of a merchant, shipmaster or other agent, any such person or persons so transported by them; which fine shall be by the country's marshall levied on conviction of some magistrate or court, one-third to be to the use of the informer, and two-thirds to the country. This Act to be in force six months after the publication of this Order. [Signed] Dan. Gookin, Thos. Savage, Roger Clapp, Rich. Russell, Francis Norton."

The feeling among New Englanders was such that, not content with this Act (which was, however, never effective), the authorities requested Parliament "to prevent the importation of the Irish papists and convicts that are yearly powr'd upon us, and to make provision against the growth of this pernicious evil."

This adamant attitude for decades diverted a proportion of Irish deportees, including hundreds of women, from Puritan New England to the more hospitable but vilely conditioned West Indies and Caribbean islands where the need for wives and workers was constant, and white slavery the only means of satisfaction.

The Irish women were not all stolen out of their beds, yet most went against their will, gulled with false promises by agents, or taken by force. Some were shunted from gaol by petty bribe of a dole or a drink to the gaoler.

A typical early shipment of Irish men and women was that of 1636 on the *Abraham*, owned by Mathew Cradock, with Thomas Anthony as supercargo employed to gather the humans

at Kinsale in the south of Ireland. Forty-one men and twenty Irish women were lured to agree to four-year indenture in Virginia. But the destination became Barbados. Before departure a month elapsed at Cowes where the women were landed to wash their clothes. Some escaped and were recaptured. Three were pregnant and were given 5*sh.* 6*d.* each to find their way back home. Another had the 'French disease' and was left ashore.

The vessel sailed December 24th. Three died on the voyage—a smaller quota than usual. The leaky ship landed at Barbados on February 13, 1637. The fifty-three Irish transportees, male and female, were sold in two days for 27,650 pounds of tobacco. The full narrative of this shipment is preserved in the High Court Admiralty Papers. It reveals in its details the sordid methods that prevailed for decades. The significant point for us is indicated by Abbot Emerson Smith: "Probably there was something like kidnapping involved;" for the agent Anthony at Kinsale was held in gaol several days by the mayor, until he agreed to release two of the servants he had signed.

Under Cromwell in the 1650's the ferocity against Ireland made little distinction between Irish rebels and non-political offenders. Regarding those years and respecting Ireland, Abbot Emerson Smith safely concludes (and we concur): "We really do but little violence to historical truth in treating rogues, vagabonds, felons, military prisoners, priests, teachers, and maidens all under the head of political victims." But this applies only to the Irish within the above limitations of the Puritan interregnum.

Shipment of Irish men and women under duress became routine in 1652, and continued to the brink of the Revolution. An extant record shows 1,890 sent in the seven years 1736-43,

and estimates have held that at least 10,000 were so sent during the century. Only a few of these were irretrievable felons. Fifty-four ships arrived in New England from Ireland in 1714-20, fifteen of these in 1718. Some brought Irish Protestants. One such arrived July 28, 1718, from Londonderry, under Master John Wilson, bringing indentured boys, young women, and girls "to be disposed of by William Wilson at his Warehouse in Merchants Row, Boston." In 1735 in North Carolina a ship captain sold a shipload of Irish servants for thirty-five barrels of turpentine each.

On the verge of the American Revolution, we find Governor George J. Bruere, of Bermuda, addressing two letters of complaint to his superiors concerning the deliberate wrecking and plundering of the ship *Industry*, bound from Limerick to Virginia with sixty Irish "servants or convicts." He desires warships and more naval forces to prevent or punish such picaroon practices on the high seas. These letters of April, 1774, and January, 1775, indicate that the enforced sending to Virginia of Irish of both sexes had continued for more than a century.²

It is due to the research of Irish-American scholarship in the last several decades that we can now appreciate the considerable Irish emigration to these shores during the Colonial period, and accord credit to this valiant strain for having had a hand in laying the foundations of the Republic. For more than a century after the War for Independence this just recognition was neglected, though perhaps not wilfully. The tendency was too pronounced to stress the alleged 'jailbird' background of this element, without realizing that all were victims of the British system of seizure and deportation, that Irish so-called 'convicts', male and female, were often not criminals against society, but paupers or vagrants under de-

plorable economic conditions, or political prisoners rebellious in the cause of Irish disaffection.

Their rôle in the Revolution has also not yet been adequately recognized. Despite hostility, hundreds had already come to New England and Virginia in the 17th century. Since these, and thousands of Catholic and Protestant Irish who came in the following seventy-five years, brought with them, as Bancroft phrases it, "no submissive love for England," their voices were among the first raised in protest against the impositions of George Third, and, when the break came, many Irishmen were among the staunchest soldiers of the Continental Army. Moreover, Franklin had visited Ireland in 1769 and 1771; and much-needed gunpowder is said to have been shipped thence to America about 1776.

But long before the American Revolution, Ireland writhed under the festering statutes of Cromwell, when Catholics had no property rights, and few civil rights. They could not be owners of a chattel worth more than five pounds, nor give parochial instruction to their children under penalty of transportation. And these were the least of their woes under the heel of tyranny.

Thus stifled at home by a coercive code and by religious repression, forcibly deported by the thousands in a confused attempt to subdue rebellion, those Irish whose fate brought them to New England there too, encountered bitter hostility because of their Catholicism. Many of these, we are told, were forced to renounce their religion, since otherwise they "had no earthly chance to succeed in life." An Irish maid, Joane Sullivan, was lashed for her refusal to go to a public meeting. And Anne Glover, a poor old washerwoman, was an Irish victim of the witch craze, hanged in 1688 as "obstinate in idolatry" because she clung to her faith.

There were early Irish from Newfoundland to Argentina, and an Irish lost settlement called Youghal on the Amazon in Shakespeare's day—though it had no women. To indicate the scope of the Irish indentured infiltration, we may note that, whereas Massachusetts had passed its vain enactment in 1654, Virginia the following year passed a special Act that all Irish bond-servants brought into that colony without indenture from September, 1653, should be obliged to serve six years if over sixteen years of age, and, if under, to serve till twenty-four years old.

Records of the colonies north of Virginia convey later proof of Irish advent. In the first quarter of the 18th century more than one ship from Ireland arrived at New England ports. Thus, the *Boston News Letter* of September 1-8, 1718, chronicles the arrival of the *Dolphin* from Dublin, "with Servants, Boys, Tradesmen, Husbandmen and Maids, to be disposed of by Mr. John Walker, at his warehouse at the lower end of Woodmansy Wharff, in Merchants Row."

New York and Pennsylvania announcements likewise evidence such arrivals. As late as 1772, the *Pennsylvania Gazette*, in its April 30 issue carried the advertisement of Captain Hardie, who had arrived on the brig *Patty* from Cork, as having "100 servants and redemptioners, Men, Women, Boys and Girls, among them sundry Tradesmen, such as Smiths, Nail-workers, Shoemakers, Taylors...whose Times are to be disposed of by the Master on board." Dry reading, but revealing vestiges of a day that is no more!

For more than a century, to the time of the American Revolution, the enforced coming of lowly Irish women and girls was intermittent. Their fate under Cromwell was sad. No accurate estimate is possible of the number of such 'lifted,' induced, or penalized women deportees sent during these many decades as

bond-servants and prospective brides to the British possessions on the mainland and in the Antilles, but that in the aggregate there were many thousands is probable.

Harsh as was the new environment, after the close of the 17th century it was, in the northern colonies, better than the abject conditions of penury from which these shoals of colleens and older women were transported, for the greater part without their consent. The sturdy character of most of them no doubt retrieved their lives in the new lands, to which fate—and the British authorities—had consigned them.

Their coming contributed a needed element to the American alembic; and the West Indian Islands, to which perhaps the majority of the earlier arrivals had been shunted, were vitalized by the Celtic temperament. Few, if any, saw the Emerald Isle again. And by their going, and the long voyage, one is reminded in these humble women and driven brides-to-be, of the lines of Burns:

In durance vile here must I wake and weep,
And all my frowsy couch in sorrow steep.

APPENDIX I

CONVICTS WITH COLUMBUS AND EARLY VOYAGERS

FROM THE EARLY intrepid voyagers, searching for fabulous gold and bent on claiming vast virgin territory for their royal masters, down to the very end of the colonial era, the benighted policy of attempted penal colonization prevailed. France from first to last relied on this deportation of dregs; Spain sent her best and her worst; Britain, while venting her wretched underworld, with a keener eye to economic advantage and the permanency of family settlement, at least favored her plantations with many sturdy yeomen and fecund wives.

Primeval beginnings of the region now Canadian were unpropitious. Here, as elsewhere in the pristine New World, the earliest exploring expeditions of the seafaring nations recruited their crews from the rabble of the jails and sometimes took along a rout of prison jades.

So it had been from the first voyage of Columbus when prison inmates of Palos and Cádiz manned the vessels of the admiral together with compelled seamen, young ranking cadets,

ne'er-do-well rascals, with here and there a hale adventurer among them. The decree made by Ferdinand and Isabella on June 22, 1497, authorized Columbus to colonize the New World with men and women convicts. A royal proclamation of April 3, 1497, had provided conditional pardon for such as would go to Hispaniola (Hayti) and the Indies on the third voyage of Columbus. The reprieve included male and female criminals, excluding those condemned for heresy, treason, or sodomy. The proclamation stipulated 300 'settlers' at royal expense, thirty of these to be women (one for every ten men). These women were the first Christian females in the Spanish colonies.¹

So it was with the Picard Seigneur, Roberval (Jean François de la Roche), who in 1540 was commissioned by Francis I of France to find far-off mines and treasure and was given 45,000 livres to outfit his expedition. Jacques Cartier was made captain-general and pilot of the fleet, and the gaols were ransacked for fifty men and women convicts as enforced 'settlers.' The flotilla anchored at present St. John (then Newfoundland), June 8, 1542, and later laid claim to the Saguenay region.

Roberval took along besides banished criminals and a sprinkling of gentry, several women, including his own niece, Marguerite, for those were robust times of derring-do. The vague chronicle recounts this maiden was secretly loved by a young errant beneath her station who embarked with her. Whether fabulous or not, who shall say? But as Purchas would have it, yielding to their ardor on the little ship, and their clandestine affair discovered by the incensed uncle as they neared a bleak isle, he set ashore the girl and her maid (who had been in collusion with her), and sailed away. The lover leaped overboard to join them, and there on that Isle of

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Demons (off Labrador below Hamilton Inlet), as it was known to the sailors, a babe was born in 1542. Only Marguerite survived the ordeal and after two years was rescued by cod fishermen from France who bore her back to her homeland.

This fatuous attempt of Roberval at settlement was repeated when, in 1555, the French soldier of fortune Durand de Villegagnon under royal auspices set forth from Havre de Grace for Brazil. There were two ships and a transport, Villegagnon's craft carrying one hundred or more soldiers, artisans, and lesser nobles. Aboard the other vessels were offenders from the Paris prisons as dubious colonists for the uncertain lands beyond the seas.

The French explorers, De Monts and Champlain, had sought to make a first primitive settlement of Acadia in 1604 with a similar motley band of about 120. Two years later Sir John Popham's ill-starred venture at the mouth of the Kennebec River came to naught. A hundred men and two ships went on this early venture, some years before the coming of the Pilgrims. Old John Aubrey declared this Kennebec colony, at a location now part of Maine, was stocked "out of all the gaols of England." And another contemporary wrote of the Popham failure: "It is a shameful and unblessed thing to take the scum of people, and wicked and condemned ones, to be the people with whom you plant."

This in brief harks back to the convicts, male and female, sent with Columbus and other early voyagers. But to California, under Spanish rule, as late as 1826, was transported a group of convicts on the bark *Maria Estes*, of which Henry Deland Fitch was captain.²

APPENDIX II

CONVICT SOLDIERS IN THE REVOLU- TIONARY WAR

THE LONG SPAN of the colonial era suffered the sporadic sending of Newgaters wherever the labor need of a colony exceeded its repugnance to that class of newcomers. As, at the beginning of the saga, the explorers had recourse to sinister recruits, so at the close of the colonial period another aspect of convictism was that of soldier recruitment in the Revolutionary War—by both sides.

It must be borne in mind that, apart from the downright depraved and criminal element, the dire penalties of those days brought many unfortunates to prison for minor offenses that would nowadays incur brief incarceration or fine. In England scores of criminal acts still carried the death penalty in 1776, though for generations the condemned often had their fate mitigated by condign deportation. If colonial punishment was less severe, it was so only by contrast with the British code. Lacking gaols in many towns and counties of the extensive colonial seaboard, scourging, branding, mutilation, the pillory,

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the bilboes, and various other unpleasant devices were resorted to, as cheaper than prison keep, and more effectual.

The practice of military enlistment direct from prison prevailed in England from 1702 to 1815. When the shipment of felons was interrupted by the outbreak of the War for Independence, with consequent British prison congestion, amnesty was extended to many so that they might be dragooned into His Majesty's forces and transported to the 'redcoat' fighting front in America. Under this system of conditional pardon, hundreds were enrolled. Three British regiments were *wholly constituted* of such evicted prisoners, one of these regiments serving with marked distinction.¹ Moreover, paupers and boys from parish charity schools were recruited, one regiment comprising lads of seventeen or less.

Among the Hessian mercenaries, likewise, there was recourse to dragnet recruiting and prison venting. Charles Augustus of Saxe-Weimar sent as hirelings only jailbirds and vagabonds.² No inconsiderable number of such gaol deliveries were among the 27,514 German troops sent over by the various Teuton princelings. Hessian deserters and British prisoners-of-war sometimes joined the patriot forces. Women camp-followers cluttered the bivouacs of all three armies.

At the outbreak of the War of the Revolution such of the reprieved 'Kings' Emigrants' as had been sent over in previous years were mostly scattered as retainers on plantations and farms from Maryland southward. Their conscription as part of the compulsory draft in Virginia and elsewhere led Washington in May, 1777, to protest to Congress; and Governor Patrick Henry of Virginia denounced the levy of convict servants by recruiting officers. General Nathanael Greene expressed distrust of Virginia convicts among his men in Pennsylvania early in 1778. The southern States "light-heartedly relieved themselves

of criminals by compelling them to serve time as Continental soldiers."³

During the War for Independence many of this element, on both sides of the conflict, indulged in sexual forays, and at the close of hostilities either married or scattered wherever desertion had taken some and land-bounties led others. More often than not the redeeming years made worthy toilers of many of these men, and sometimes brought distinction to their offspring. Such was the outcome for the new generation, even for the convict predecessors, whether their lapses were plain or fancy felonies. But it is sheer hyperbole to say, as does one commentator: "Ironically enough, many of the most illustrious of the F.F.V.'s are reformed descendants of that tribe."⁴

Let us review precedent facts concerning convicts in colonial military service. Prior to the Revolution, convict soldiery had been an expedient of British, French, and Spanish colonialism. In the northern tier of seaboard colonies the early military employment of convicts was negligible.

New York Province had few indentured servants and fewer transported convicts. During the Dutch occupancy a scattering of convicts were sent in 1654 from Holland by the Dutch West Indies Company and bought by patroons. In that year twenty-eight boys and girls were also sent to New Netherlands, and in 1658 other children from almshouses in Amsterdam.

The British came into possession of New York in 1664. In the struggle with the Dutch, felons transported by Britain were consigned for military services before departure, and drilled aboard ship. The colony was recaptured by the Dutch in 1673 and won again by England the following year.

In April, 1693, the New York militia comprised two troops of Dragoons. On June 12, 1693, Governor Benjamin Fletcher of the Province of New York wrote to the Committee on Trade

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and Plantations concerning recruits needed: "You are desired to state what number of malefactors are now in Newgate who are to have the benefit of transportation-pardon and may properly be used for this service."⁵ It is probable that many transported prisoners of both sexes were passed off in New York as free-willers or by means of indentures forged by contractors.⁶

In the first half of the 18th century the Virginians saw many such convicts diverted to the Royal Army.⁷ And this despite the fact that colonial Virginia in 1738 had provided against convicts serving in her militia—an enactment repudiated two years later. In the French and Indian War the forces of Major-General Edward Braddock vanquished by the French and Indians on July 9, 1755, had many cockney convicts in the ranks.⁸ Two years later, Loudoun denounced the Virginia recruits, "most of them being Convicts, and many of them brought out of the ships before they landed."

How convicts in the colonies were drafted as soldiers is revealed by a curious expedient in 18th century Virginia. In May, 1740, the Assembly enacted an *opera bouffe* bill, sponsored by Edward Barradall, Attorney-General and burgess for William and Mary College. The enactment predicated:

"Whereas his Majesty hath been pleased to send instructions to the Lieut.-Governor of this colony to raise and levy soldiers for carrying on the present war against the Spaniards in America, this present General Assembly...taking into consideration that there are...in this colony able-bodied persons fit to serve his Majesty who follow no lawful calling or employment"—therefore such were to be dragooned as cannon fodder to fill Virginia's quota. But, the statute stipulated, the draft was to exclude "any person...who hath any vote...or who is or shall be an indented or bought servant."

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This astute elimination left only ex-convicts available for the impressment.

In the subsequent expedition against the Spanish stronghold of Cartagena in the Caribbean area there were four Virginia companies of ex-convicts under Captain Lawrence Washington. The assault failed, with frightful losses by battle and from tropical fevers.

In comment on this, Fairfax Harrison wrote in 1924 that thus was Virginia "purged of some of her criminal immigrants." He adds:

"Barradall's simple but cynical device proved effective beyond its contemplation. Not only did it fill out Virginia's quota of troops in 1740, but it created a precedent of which other colonies took advantage with the hearty cooperation of the Virginia government. Indeed, the available supply of ex-convict soldiers was soon exhausted. . . . And still the convicts came."⁹

Further efforts were made in that decade. In 1745 General William Gooch, Governor of Virginia, excused himself in an official letter to the Duke of Newcastle for his inability to recruit a larger quota of former convicts for William Shirley's intended New England expedition against French Canada. Elsewhere and at other times in the colonial era, transported felons were forced to serve in various military forays.

As early as 1673 Lord Thomas Culpepper proposed to the Council for Trade and Plantations his project for reinforcing British troops in America. He suggested that transported servants and convicts be placed under military discipline aboard ship and on landing in Virginia or Maryland. The king sanctioned the plan and it was carried into effect for a time. For more than a century from 1639, servant militia had included sporadic convict impressment.

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An unusual sidelight is presented by McCormac in his study of white servitude in colonial Maryland. He notes that convicts (and also Catholics) when known to be such were excluded from the forces in 1755 by Major-General Edward Braddock as commander of the British army in America. Although he forbade his officers to enlist them, some found their way into the ranks. Previously, Governor Horatio Sharpe had served in the French and Indian War as royal commander-in-chief, until succeeded by Braddock. In that capacity, before becoming Governor, General Sharpe, whenever he discovered that convicts had been enlisted, ordered them replaced by other recruits.

Colonel George Washington was quite familiar with the prevailing practices regarding such malefactors and criminals. His father, Captain Augustine Washington had imported English convicts, as distinct from indented white laborers brought to Virginia. Washington himself bought many whites, including convicts. One of his convict servants, named William Oree, ran away on July 24, 1774, and a five-pound reward was offered for his return. Four felons were bought for Washington at £110 on one occasion.¹⁰

Returning to the Revolutionary period, we find that within four months after the battle of Bunker Hill, the *Virginia Gazette* (October 28, 1775) chronicled that convicts were being dragooned into the British army at Boston.

Women camp followers, shipped from England, were authorized and 'on the ration' with the British forces in the American Revolution. Their incredible numbers are certified in official military Returns. Proof of wedlock was not required. Some were wives. Many were trulls of overseas prison antecedents. Howe stipulated six women per company of thirty-eight men in his campaign of 1776-7, but condoned the excess over that quota. The Commissary of the British army, in his Return,

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dated May 17, 1777, tabulated the figures. The totals: 23,601 men, 2,776 women, 1,904 children. The British and Hessian forces at New York and outposts, August 22, 1781, comprised 23,489 men, 3,615 women, 4,127 children.*

Both men and women of more or less criminal background were a minor element in the British forces during the seven years' struggle. Many wives and sweethearts were with the American patriots, but a fixed quota was never designated. General Washington issued some twenty-five orders pertaining to women with his forces, a number of these to curb riding in the wagons.

* See Walter Hart Blumenthal, *Women Camp Followers of the American Revolution* (Phila., 1952).

APPENDIX III

WOMEN ON THE CONVICT SHIPS TO AUSTRALIA

FOR EIGHTY YEARS from 1787 British prison craft plied in voyages of horror to far off Australia. The stark annals of this penal transportation are little known, although the ordeal exceeded in depravity and suffering the woe endured by felon contingents sent to the American colonies until the close of the Revolution. From 1787 to 1868 these vessels carried their human cargoes to the Antipodes with incredible lack of public commiseration or social conscience. Of the thousands sent, one-third were women and adolescents, and in the early decades of the deportation the voyages were longest and the incredible conditions at their worst.

Most of the women prisoners transported during those earlier years were consigned from Newgate.¹ There, in the area for females many inmates were fettered until 1816, and all slept on the floor without bedding. There, were confined criminal lunatics and habitual offenders among lesser male-factors—whether sentenced or awaiting trial. In 1818 fettering

of females was discontinued, and in 1835 the first prison inspectors were appointed.

The small ship *Lady Penrhyn* was one of a fleet of six prison hulks departing May 13, 1787, for Botany Bay. She reached there after 252 days, having sailed 15,063 miles, according to Surgeon Bowes' account of the voyage. The six transports carried 586 men prisoners and 192 women.

The account of Surgeon Bowes² was similar to other chronicles by other diarists or narrators of similar voyages. Before departure, the *Lady Penrhyn* was held in port for a time due to foul weather and failure of supplies to arrive. During this time, and subsequently on the high seas, prostitution could not be restrained. Before sailing, five of the ship's women were put in irons for this offence, and the second mate was dismissed from aboard.

On the trip it was found impossible to keep the women and the seamen apart. The captains were lax or indifferent. Women at times were flogged for insubordination, theft, fighting, or abusive language. Punishment included thumb-screws put on their wrists. Sometimes their heads were shorn, which, says Bowes, they detested most. He states that at times those punished were so abusive they were gagged.

There were instances of the execution of convicts aboard ship for murder, mutiny, or other capital crimes. The women were partly occupied by enforced scrubbing, mending, oakum-picking, and the like. The legal rum ration led to much conflict and conniving, and was a source for bringing the women and seamen together.

Another typical voyage was that of the *Lady Juliana*, 401 tons, sailing from Plymouth on July 29, 1789, with 226 female convicts. She arrived at Port Jackson on June 3, 1790, 309 days out. This ship, like others, transported women prisoners to

APPENDIX III

Botany Bay on a per capita basis under contract. The contractor for this voyage of *Lady Juliana* was William Richards, Jr. The surgeon was Dr. Richard Alley, who wrote an account of the voyage, as did the petty officer, John Nicol.

The women on this ship were embarked in the Thames from Newgate prison and from county gaols, those from the latter coming aboard in irons. Many were London prostitutes. Others were swindlers, thieves, receivers, even shoplifters. Not all were hardened offenders.

A young Scottish girl, wrote Nicol, died of a broken heart: "Beautiful even in convict dress, but pale and her eyes red with weeping, she never spoke to any of the women or came on deck, but crouched in the same corner, morning to night. Even the time of meals roused her not." She died.

The ship was a floating brothel, according to Charles Bateson who, in 1959, wrote a history of this convict transport to Australia. Nichol in his account of this voyage states: "When we were fairly at sea every man on board the *Lady Juliana* took a wife from among the convicts, they nothing loath. At the various ports of call seamen from every vessel in harbour were freely entertained." The officers, apparently, made no attempt to suppress the commingling.

Prostitution on these transports remained a problem. As late as 1824, the ship *Brothers*, from Bristol, arriving at Hobart on April 15, had this difficulty. The officer Dr. James Hall, surgeon-superintendent, sought to suppress promiscuity, thereby incurring the enmity of women and crew, with an attempt on his life by a group of the former.

Another aspect of the convict ships calls for inclusion. Juveniles were not segregated until the late 1830's; so many were corrupted by older and hardened offenders. We quote Bateson, whose study of the convict ships is definitive:

"Many youths and young girls were among the prisoners transported, and a total of 1,116 convicts under 21 years of age arrived aboard 26 transports between 1812 and 1817. The smallest number in a single transport was 12, the largest 82. The average number for each convict ship was 43. Of the total, 349 were seventeen years of age or under, including five boys aged eleven, six boys and one girl aged twelve, and nineteen boys and one girl aged thirteen."

Most of these craft on their long voyages put in for fresh water and supplies at Teneriffe, the Cape Verde Islands, then Rio and the Cape, on their course to Botany Bay.

In summary, Bateson gives the statistics of this convict shipment to the Antipodes. More than half the total deported to Australia was disembarked in New South Wales. Many of these were subsequently transshipped to Van Diemen's Land or Norfolk Island. The stark facts are that some 84,000 prisoners, including about 11,500 women, reached New South Wales. The total landed in Van Diemen's Land, including those sent direct to Norfolk Island from England, exceeded 67,000, of whom between 11,000 and 12,000 were women. Moreover, 9,720 males were consigned to Western Australia, where no women were sent.

Appalling in retrospect is the fact that from the first sending of female felons to the trans-Atlantic colonies in 1619, to the end of last shipment to Australia in 1868, more than 33,000 women prisoners were expelled by Great Britain.

Our pages have been devoted to a presentation of women convicts (with facts and figures about males by way of comparison). As a little known phase of the past our task has not been in vain if the reader has followed us thus far!

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